

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EMPIRE TODAY, LLC,

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Plaintiff,

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v.

Civil Action No. 08-11999-JLT

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NATIONAL FLOORS DIRECT, INC.,
et al.,

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Defendants.

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ORDER

August 31, 2010

TAURO, J.

After a Status Conference held on August 31, 2010, this court hereby orders that:

1. Plaintiff’s Motion to Compel [#171] is ALLOWED IN PART and DENIED IN PART. This Motion is ALLOWED IN PART to the extent that Defendant National Floors Direct must produce documents “reflecting the dates on which all of the sales representatives identified in [Paragraph 192 of the Third Amended Complaint [#148] and the sales representatives identified in Exhibit 4 to Alfonso Rivera’s May 11, 2010 deposition] began working at NFD, and for those that no longer work at NFD, the dates on which they were terminated.”¹ Defendant National Floors Direct must also produce all “documents relating to NFD’s lawsuit against George Hallisey, including, without limitation, the settlement agreement, and any drafts, amendments, and/or variations thereof, by and between NFD and

¹ Request D of Plaintiff’s Memorandum in Support of Its Motion to Compel the Production of Documents by National Floors Direct, Inc. and Related Defendants [#176].

Mr. Hallisey.”² In all other respects, this Motion is DENIED.

2. Defendant National Floors Direct’s Motion to Compel the Production of Documents From Plaintiff Empire Today, LLC [#173] is DENIED AS MOOT.
3. By September 3, 2010, at 4:00 p.m., Plaintiff shall provide Defendant National Floors Direct with all of the declarations that Plaintiff has obtained before that time as part of its settlement with other Defendants.
4. By September 3, 2010, at 4:00 p.m., the Parties shall advise the court as to the status of the Stipulated Protective Order [#89].
5. By September 20, 2010, the Parties shall file all objections to depositions.
6. Defendants may file a rebuttal to Plaintiff’s most recent expert report(s) by September 24, 2010. No further replies shall be allowed.
7. A Trial is scheduled to begin on September 27, 2010 at 10:00 a.m.
8. All other pending matters have been resolved, as attested to by the Parties.

IT IS SO ORDERED.

/s/ Joseph L. Tauro
United States District Judge

² Request J of Plaintiff’s Memorandum in Support of Its Motion to Compel the Production of Documents by National Floors Direct, Inc. and Related Defendants [#176].