UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KEVIN YESZIN and PAUL HARRISON,

Plaintiffs,

vs. CASE NO.: 11-10466

NEOLT, S.P.A., an Italian corporation, HON. LAWRENCE P. ZATKOFF

Defendants.
_____/

ORDER

Plaintiffs' Complaint alleges injuries caused to Plaintiffs by a drafting table manufactured and designed by Defendant. In lieu of answering the Complaint, Defendant filed a Motion to Dismiss the case, alleging the Court's lack of personal jurisdiction. On December 14, 2011, the Court entered an Order [dkt 13] permitting limited discovery on the question of personal jurisdiction over Defendant, specifically with respect to Defendant's contacts with the State of Michigan, and the origin of the drafting table in question.

During a February 28, 2012, hearing before Magistrate Judge Whalen, the Magistrate Judge ordered, among other things, that the scope of the limited discovery would be limited to the sale of drafting tables by Neolt anywhere in the U.S. from 1995 to the present.

Plaintiffs subsequently filed the instant motion seeking to extend the scope of permissible discovery from 1995 back to 1986. Plaintiffs allege that, on March 30, 2012, they made an unexpected discovery that the drafting table at issue in this case was allegedly manufactured in 1986, rather than sometime after 1995, as they had previously believed. For this reason, Plaintiffs asked the Court to expand the scope of discovery to include manufacture and distribution of Neolt drafting tables between 1986 and 1990.

On August 3, 2012, the Court entered its Order denying Defendant's Motion to Dismiss for Lack of Personal Jurisdiction. The Court made its determination without the need of extending the scope of discovery to 1986. As such, Plaintiffs' Motion is rendered moot.

Accordingly, it is HEREBY ORDERED that Plaintiffs' Motion to Expand the Scope of Permissible Discovery [dkt 32] is DENIED as moot.

IT IS SO ORDERED.

S/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

Dated: November 13, 2012