

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

CHARLES ALONGI, et al.

Plaintiffs,

v.

Case No. 12-13374

BOMBARDIER RECREATIONAL PRODUCTS
INC., et al.,

Defendants.

ORDER SETTING TELEPHONE CONFERENCE

Plaintiffs assert eleven counts against Defendants comprising state and federal claims arising from a boating accident. On September 12, 2012, Plaintiffs and Defendants met with the court for a Rule 16 scheduling conference. After discussing the facts and various legal issues, the court suggested, and the parties agreed, to give Defendants an opportunity to file dispositive motions—before setting discovery deadlines—so that the relevant claims and issues can be narrowed and discovery can be scheduled for an appropriate length of time. The court anticipates Defendants will file any dispositive motions on or about October 15, 2012.¹ As the parties prepare to file and respond to these dispositive motions, preliminary voluntary discovery may commence at the parties' discretion. If no dispositive motions are filed by the end of October, the court will hold a telephone conference with the parties to schedule discovery deadlines. Accordingly,

¹The parties should also stipulate to an amendment to the complaint that alleges at least \$50,000 in damages so that the amount in controversy requirement for Plaintiffs' Magnuson-Moss Warranty Act claim is satisfied. See 15 U.S.C. § 2310(d)(3)(B).

IT IS ORDERED that if no dispositive motions are filed by October 31, 2012, the parties shall participate in a telephone conference with the court to schedule discovery deadlines on **November 1, 2012 at 11:00 am** The court will initiate the call. If Defendants do file any dispositive motions prior to the telephone conference, the court will cancel the telephone conference and the parties shall refer to the local rules for briefing deadlines.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: September 14, 2012

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, September 14, 2012, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522