

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TIMOTHY KERRIGAN *et al.*,

Plaintiffs,

Case No. 14-cv-12693
Hon. Matthew F. Leitman

v.

VISALUS, INC. *et al.*,

Defendants.

ORDER ON STATUS CONFERENCE

On April 10, 2017, the Court held a telephonic status conference with counsel for all parties. As discussed during the status conference, **IT IS HEREBY ORDERED AS FOLLOWS:**

- Any Defendant wishing to file a motion to dismiss Plaintiffs' Third Amended Complaint under Federal Rule of Civil Procedure 12(b)(6) shall, by no later than **May 10, 2017**, participate in a substantive meet and confer with Plaintiffs. During this meet and confer, Defendants shall identify for Plaintiffs all grounds under which they plan to seek dismissal of Plaintiffs' claims and explain the bases for those grounds.
- If, in connection with the meet and confer, Plaintiffs do not agree to dismiss or further amend their claims to Defendants' satisfaction, any Defendant may file a motion to dismiss Plaintiffs' Third Amended Complaint under Federal

Rule of Civil Procedure 12(b)(6) by no later than **June 16, 2017**.

- No Defendant need file an Answer to the Third Amended Complaint until further order of the Court.
- While the parties are engaged in the meet and confer and briefing process, Plaintiffs may notice and take the deposition of four identified promoter Defendants. If, at some point in the future after Plaintiffs complete these depositions, the Defendants represented by The Miller Law Firm wish to depose those promoter Defendants, they may do so telephonically (or seek leave from the Court to take the depositions in person).

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: April 10, 2017

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 10, 2017, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(313) 234-5113