

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Coach, Inc., et al.

v.

Civil No. 10-cv-141-LM

Gata Corporation, et al.

O R D E R

On today's date, a preliminary pretrial conference was held in this case. Attorneys Jeffrey K. Techentin and Adam M. Ramos appeared for the plaintiffs; Attorney Thomas Morgan, Jr. appeared for the defendants.

The parties agreed to supplement their Proposed Discovery Plan (document no. 13) as follows:

Type of Trial: Jury.

Track Assignment: Standard.

Electronic Information Disclosures: The parties have agreed to produce any e-discovery in pdf format.

Stipulation Re: Claims of Privilege/Protection of Trial Preparation Materials: The parties will submit an assented-to proposal to the court.

Completion of Discovery: January 17, 2011.

Interrogatories: A maximum of 25 by interrogatories by each party. Responses due 30 days after service unless otherwise agreed to pursuant to Fed. R. Civ. P. 29.

Requests for Admission: A maximum of 50 by each party. Responses due 30 days after service unless otherwise agreed to pursuant to Fed. R. Civ. P. 29.

Depositions: A maximum of 10 by plaintiffs and 10 by defendants. Each deposition limited to a maximum of 7 hours unless extended by agreement of the parties.

Dates of Disclosure of Experts and Experts' Written Reports:
Plaintiff: January 17, 2011; Defendant: February 17, 2011

Challenges to Expert Testimony: April 11, 2011.

Disclosure of Claims Against Unnamed Parties: If defendants claim that unnamed parties are at fault on a state law claim (see DeBenedetto v. CLD Consulting Engineers, Inc., 153 N.H. 73 (2006)), defendants shall disclose the identity of every such party and the basis of the allegation of fault no later than September 15, 2010. Plaintiff shall then have 30 days from the date of disclosure to amend the complaint.

Joinder of Additional Parties: Plaintiff: October 18, 2010;
Defendant: October 18, 2010.

Third-Party Actions: October 18, 2010.

Amendment of Pleadings: Plaintiff: October 18, 2010;
Defendant: October 18, 2010.

Dispositive Motions:

Motions to Dismiss: October 18, 2010.

Motions for Summary Judgment: February 14, 2011.

Settlement Possibilities: Cannot be evaluated prior to January 1, 2011 (end of discovery).

Joint Statement re: Mediation: Mediation, if any, will occur by January 17, 2011 (end of discovery).

Trial Estimate: 5 days.

Trial Date: Two-week trial period beginning July 19, 2011.

With respect to any discovery disputes in the future that the parties are unable to resolve themselves, the parties shall

contact this court's case manager and schedule a telephone conference with the court. To the extent that written submissions are required, the court's case manager will notify the parties. The goal of the telephone conference will be to resolve the dispute with an informal order, thereby obviating the need for formal litigation. If counsel prefer traditional discovery litigation to the conference call procedure set forth above, counsel should put the discovery dispute before the court in the form of a formal pleading.

The parties' proposed discovery plan (document no. 13) is approved as amended herein.



Landya B. McCafferty
United States Magistrate Judge

Date: July 22, 2010

cc: Kelly Malone, Esq.
Jeffrey Techentin, Esq.
Adam Ramos, Esq.
Thomas Morgan, Esq.