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October 29, 2008

VIA FACSIMILE

Honorable Joel Schneider
United States District Court
District of New Jersey
Mitchell H. Cohen Courthouse
1 John F. Gerry Plaza, Room 2060
Camden, New Jersey 08101-0887

Re: *Franulovic v. The Coca-Cola Company*,
No. 1:07-cv-00539-RMB-JS (D. N.J.)

Dear Judge Schneider:

Following the filing of Plaintiff's Motion for Class Certification, the Clerk of Court automatically entered a return date of November 17, 2008 on the Court's docket (Docket No. not assigned, copy of email notification enclosed for the Court's reference). It is Defendant's understanding that our opposition to Plaintiff's Motion for Class Certification is not due until December 11, 2008, which is the response date set forth in Your Honor's August 6, 2008 Amended Scheduling Order (Docket No. 92, copy enclosed for the Court's reference). In speaking with the Clerk of Court, it was recommended that we send a letter seeking clarification on the docket and confirming that the dates set by Your Honor's August 6, 2008 Amended Scheduling Order supersede any dates that may be triggered by the return date. If Defendant's understanding is incorrect or if Your Honor would prefer any additional action to clarify the response date for Defendant's opposition to the Plaintiff's class certification motion, please let us know.

The parties appreciate your continued attention to this matter.

Sincerely,

So Ordered this 30th day
of October, 2008
Joel Schneider
JOEL SCHNEIDER, USMJ

Scott Elder
Scott A. Elder
Attorney for The Coca-Cola Company

SAE:aem

Honorable Joel Schneider

October 29, 2008

Page 2

cc: Judge Renée M. Bumb
Stephen Gardner, Esq.
Michael J. Quirk, Esq.

Krasinski, Brendan

Subject: Activity in Case 1:07-cv-00539-RMB-JS CENTER FOR SCIENCE IN THE PUBLIC INTEREST v. THE COCA-COLA COMPANY et al Set/Reset Motion and R&R Deadlines/Hearings

GettingThingsDone: -1

GtdProcessedBy: Krasinski, Brendan

Project: Enviga

From: njdefiling@njd.uscourts.gov [mailto:njdefiling@njd.uscourts.gov]

Sent: Wednesday, October 22, 2008 4:02 PM

To: ecfhelp@njd.uscourts.gov

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U.S. District Court

District of New Jersey [LIVE]

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The following transaction was entered on 10/22/2008 at 4:02 PM EDT and filed on 10/22/2008

Case Name: CENTER FOR SCIENCE IN THE PUBLIC INTEREST v. THE COCA-COLA COMPANY et al

Case Number: 1:07-cv-539

Filer:

Document Number: No document attached

Docket Text:

Set Returnable Date as to [95] MOTION to Certify Class. for 11/17/2008 before Judge Renee Marie Bumb.(PLEASE BE ADVISED MOTION WILL BE DECIDED ON THE PAPERS UNLESS OTHERWISE NOTIFIED BY THE COURT) (nf,)

1:07-cv-539 Notice has been electronically mailed to:

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1:07-cv-539 Notice will not be electronically mailed to::

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

CENTER FOR SCIENCE IN THE
PUBLIC INTEREST, FRANULOVIC,

Plaintiffs,

v.

COCA-COLA COMPANY, et al.,

Defendants.

Civil No. 07-539 (RMB)

CATHERINE M. MELFI,

Plaintiff,

v.

THE COCA-COLA COMPANY,

Defendant.

Civil No. 07-828 (RMB)

ADAM SIMMENS,

Plaintiff,

v.

COCA-COLA COMPANY,

Defendant.

Civil No. 07-3855 (RMB)

AMENDED SCHEDULING ORDER

This Scheduling Order confirms the directives given to counsel at the conference on August 5, 2008; and the Court noting that counsel for all parties appeared.

IT IS this 6th day of August, 2008, hereby ORDERED:

1. By August 25, 2008, plaintiffs shall supplement their Fed. R. Civ. P. 26 disclosures and answers to interrogatories and document requests in accordance with the Court's rulings at the August 4, 2008 conference.

2. By September 30, 2008, defendants shall complete plaintiffs' depositions.

3. By **October 21, 2008**, plaintiffs shall file their Motion for Class Certification.

4. By **November 11, 2008**, defendants shall complete the depositions of plaintiffs' class certification experts.

5. By **December 11, 2008**, defendants shall file their opposition to plaintiffs' Motion for Class Certification.

6. By **January 8, 2009**, plaintiffs shall complete the depositions of defendants' class certification experts.

7. By **February 8, 2009**, plaintiffs shall file their reply brief in support of their Motion for Class Certification.

THE FAILURE OF A PARTY OR ATTORNEY TO OBEY THIS ORDER MAY RESULT IN IMPOSITION OF SANCTIONS UNDER Fed. R. Civ. P. 16(f).

s/ Joel Schneider
JOEL SCHNEIDER
United States Magistrate Judge