

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

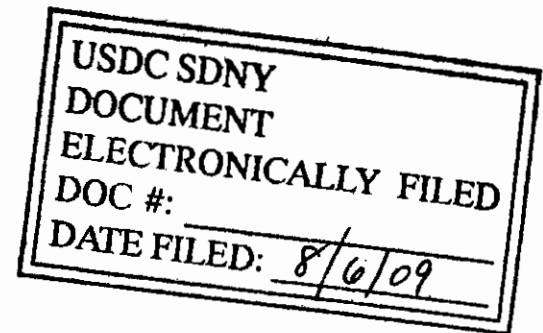
CORPORACION 1466, C.A.,
a Venezuelan corporation,

Plaintiff,

-against-

CHARMING SHOPPES, INC., a Pennsylvania corporation, **CHARMING SHOPPES OUTLET STORES, LLC**, a Pennsylvania corporation, **LANE BRYANT CORPORATION**, a Delaware corporation, **LANE BRYANT, INC.**, a Delaware corporation, and **LANE BRYANT 4536**, a California corporation, **CATHERINES PLUS SIZES, INC.**, a New Hampshire Corporation, **CATHERINE'S STORES CORPORATION**, a Tennessee corporation, and **FASHION BUG RETAIL COMPANIES, INC.**, an Arizona corporation,

Defendants.



09 Civ. 4949 (RPP)(JF)

**PROPOSED CASE
MANAGEMENT ORDER**

This Proposed Scheduling Order and Case Management Plan is submitted in accordance with Fed. R. Civ. P. 16-26(f).

1. This case is to be tried to a jury.
2. Joinder of additional parties to be accomplished by **September 28, 2009**.
3. Amended pleadings may be filed without leave of the Court until **September 28, 2009**.
4. Pursuant to the parties' agreement, initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) to be completed no later than **August 28, 2009**.
5. All fact discovery is to be completed no later than **March 28, 2010**, absent court order extending same.
6. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. Additionally:
 - i. Unless the parties agree or the Court so orders, depositions are not to be held until the parties have responded to and produced documents in response to, initial requests for document production.

- ii. Depositions of all parties shall proceed during the same time.
 - iii. Unless the parties agree or the Court so orders, non-party depositions shall follow party depositions when possible.
7. All expert discovery (ordinarily conducted following the completion of fact discovery) including the parties' expert reports and depositions, witness lists and identification of documents pursuant to Fed. R. Civ. P. 26(a)(2), (3) and 35(b), is to be completed by:
- a. Plaintiff and Defendants: Designate experts and serve written expert reports, if any, no later than **April 28, 2010**.
 - b. Plaintiff and Defendants: Designate rebuttal experts and serve written expert rebuttal reports, if any, no later than **May 18, 2010**.
 - c. Expert depositions to be conducted by **June 29, 2010**.
 - d. Fed. R. Civ. P. 26(a)(3) disclosures: At least thirty (30) days before trial.
8. Contemplated motions:
- a. Plaintiff: Dispositive motions will be filed on or before **August 17, 2010**.
 - b. Defendants: Dispositive motions will be filed on or before **August 17, 2010**.
9. Following all discovery, all counsel must meet for at least one hour to discuss settlement, such conference to be held by not later than **July 30, 2010**.
10. Do all parties consent to trial by a Magistrate Judge under 28 U.S.C. § 636(c)?
- Yes _____ No X

TO BE COMPLETED BY THE COURT:

11. The next Case Management Conference is scheduled for _____.

In the event the case is to proceed to trial, a firm trial date and the deadline for the submission of the Joint Pretrial Order and related documents shall be scheduled at the pretrial conference following either the completion of all discovery or the Court's ruling on any dispositive motion.

The Joint Pretrial Order should be prepared in accordance with Judge Patterson's Individual Practices. If this action is to be tried before a jury, proposed voir dire and jury instructions shall be filed with the Joint Pretrial Order. No motion for summary judgment shall

be served after the deadline fixed for the Joint Pretrial Order.

SO ORDERED:

DATED: New York, New York
August 5 2009



ROBERT P. PATTERSON
United States District Judge

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