

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LIKKE MORE CARIB INC.,

1:23 CIV. 10383-AS-VF

DISCOVERY PLAN

Plaintiff(s),

-against

HERMAN LAWRENCE AND JUMIEKA, LLC,

Defendant(s).

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Pursuant to Federal Rule of Civil Procedure 26(f), during a conference on May 6, 2024 between counsel for plaintiff Likke More Carib Inc. and counsel for defendant Herman Lawrence and Jumieka LLC, counsel for the parties discussed and agreed to the following discovery plan:

- (1) The parties shall exchange the initial disclosures required under Federal Rule of Civil Procedure 26(a)(1) no later than July 31, 2024.
- (2) Both plaintiff and defendant shall serve their first request for production of documents, pursuant to Federal Rule of Civil Procedure 34, no later than August 30, 2024.
- (3) Both plaintiff and defendant shall serve their notices of deposition, pursuant to Federal Rule of Civil Procedure 30, no later than September 1, 2024.

(i) Plaintiff anticipates deposing: (a) Herman Lawrence and such other persons with knowledge of the facts bearing on the relevant issues as discovery reveals.

(ii) Defendant anticipates deposing: (a) Delroy Levy and such other persons with knowledge of the facts bearing on the relevant issues as discovery reveals.

- ~~(4) Depositions of the parties shall commence after November 15, 2024, at mutually convenient dates and times, without prejudice to either party conducting a non-party deposition beforehand at a mutually convenient date, time and place.~~

(5) Both plaintiff and defendant shall serve subpoenas upon any third-party witnesses no later than ~~December 1, 2024~~ **October 1, 2024**, seeking the production of documents and/or depositions.

(6) Plaintiff shall serve its expert's report upon defendants, pursuant to Federal Rule of Civil Procedure 26(a)(2), no later than ~~December 2, 2024~~ **January 15, 2025**. The report shall set forth a complete statement of all opinions the witness will express, the facts on which the witness relies, and the

"Absent a stipulation or court order, the [expert] disclosures must be made at least 90 days before the date set for trial or for the case to be ready for trial." Fed. R. Civ. P. 26(a)(2)(D).

process of reasoning by which the witness's conclusions are reached, and must otherwise comply with the requirements of Federal Rule of Civil Procedure 26(a)(2)(B).

(7) Defendant shall serve its expert's rebuttal report upon plaintiff, pursuant to Federal Rule of Civil Procedure 26(a)(2), no later than **January 15, 2025** ~~February 28, 2025~~.²

(8) Depositions of the experts shall begin in time to be completed no later than **February 17, 2025** ~~February 28, 2025~~ for plaintiff's expert and **March 3, 2025** ~~May 31, 2025~~ for defendant's expert.

(9) All discovery shall be completed **March 31, 2025** ~~May 31, 2025~~.

(10) ~~The parties may seek to schedule additional discovery as necessary, so long as it completed by April 30, 2025 (same date as appears in (9) above).~~

Plaintiff: Likke More Carib Inc.
Robert L. Reda, P.C.
By: Robert L. Reda

Defendant: Herman Lawrence and Jumieka LLC
Morrison Tenenbaum
By: Neil Postrygacz

Dated: Suffern, New York
July 1, 2024



SO ORDERED.

United States Magistrate Judge
Date: July 8, 2024

The Court has shortened the deadlines in accordance with Judge Arun Subramanian's Individual Rules given that this is a 2023 straightforward trademark dispute.

² “[I]f the evidence is intended solely to contradict or rebut evidence on the same subject matter identified by another party under Rule 26(a)(2)(B) or (C), [such rebuttal shall be made] within 30 days after the other party’s disclosure.” Fed. R. Civ. P. 26(a)(2)(D).