

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION**

**No. 5:11-CV-00459-F**

PENTAIR WATER POOL AND SPA, INC. and )  
DANFOSS DRIVES A/S, )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
HAYWARD INDUSTRIES, INC. and )  
HAYWARD POOL PRODUCTS, INC., )  
 )  
Defendants. )

**ORDER**


This matter is before the Court on Defendants' Motion for Scheduling Order, Expedited Discovery, and Briefing Schedule on Plaintiffs' Motion for a Preliminary Injunction [DE-33], Defendants' Motion for Extension of Time Until Resolution of Defendants' Motion for Scheduling Order, Expedited Discovery and Briefing Schedule on Plaintiffs' Motion for Preliminary Injunction [DE-37], and Plaintiffs' Motion to Strike Defendants' Reply in support of its motions [DE-41]. On October 25, 2011, the Court held a telephonic hearing on the motions. For good cause shown, the Defendants' motions [DE-33 & 37] are **GRANTED** and the following briefing schedule is hereby **ORDERED** in conformity with the Court's oral ruling during the hearing:

- (1) Defendants may serve up to ten (10) interrogatories and six (6) requests for production, directly related to preliminary injunction motion, no later than **October 31, 2011**.
- (2) Plaintiffs' responses shall be due no later than **November 10, 2011**.

- (3) Plaintiffs shall make Zack Pickard and E. Randolph Collins, Jr. available for deposition no later than **November 23, 2011**.
- (4) Defendants' response to Plaintiffs' Motion for Preliminary Injunction is due no later than **December 2, 2011**.
- (5) Plaintiffs may serve up to ten (10) interrogatories and six (6) requests for production, directly related to Defendants' response, and two (2) deposition notices, limited to declarants in support of Defendants' response, no later than **December 8, 2011**.
- (6) Defendants' responses shall be due no later than **December 19, 2011**.
- (7) Defendants shall make the noticed deponents available for deposition no later than **December 24, 2011**.
- (8) Plaintiffs' reply shall be due no later than **December 30, 2011**.

Plaintiffs' Motion to Strike Defendants' Reply in support of its motions [DE-41] is **DENIED AS MOOT**.

This the 26<sup>th</sup> day of October, 2011.

  
DAVID W. DANIEL  
United States Magistrate Judge