

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

GLENN GRAFF, et al.,  
Plaintiffs

vs

HAVERHILL NORTH  
COKE COMPANY, et al.,  
Defendants

Case No. 1:09-cv-670

Dlott, J.  
Litkovitz, M.J.

**ORDER**

This matter is before the Court following a telephone status conference held on February 29, 2012 before the undersigned magistrate judge. At issue are whether certain documents listed on defendants' privilege log are discoverable and the extent of defendants' duty to provide ongoing supplementation to the privilege log.

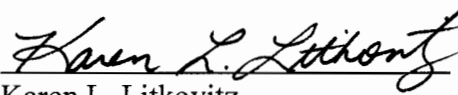
As stated at the conference, this matter is set for a telephonic hearing on **March 26, 2012 at 2:00 p.m.** The parties must submit a joint statement by **March 19, 2012** setting forth the specific categories of documents for which the privilege claim is contested. Defendants must also submit a sampling of documents from each category for *in camera* review by **March 19, 2012**. If the Court is unable to resolve the privilege log dispute at the hearing, additional briefing on the issue may be ordered.

With respect to the supplementation of the privilege log, the parties must submit briefs to the Court by **March 19, 2012** addressing defendants' duty to supplement the privilege log under Fed. R. Civ. P. 26(e), including the appropriateness of limiting defendants' supplementation duty in time and/or scope. To facilitate the parties in briefing this issue, defendants agreed to submit to

plaintiffs a proposal for supplementation on or before **March 12, 2012**.

**IT IS SO ORDERED**

Date 3/1/2012

  
Karen L. Litkovitz  
United States Magistrate Judge