

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

IN RE: BEHR DAYTON	:	Case No. 3:08-CV-326
THERMAL PRODUCTS, LLC	:	
	:	District Judge Walter H. Rice
	:	Magistrate Judge Michael J. Newman

ORDER

The Court heard oral argument today concerning a discovery dispute involving Plaintiffs' notice of a Fed. R. Civ. P. 30(b)(6) deposition to Defendant Behr Dayton Thermal Products, LLC ("Behr"), and the resulting deposition of Mr. Nodel. Having heard arguments from both sides, and in accordance with the parties' joint request, the Court finds that briefing on the issues raised in the telephone hearing is necessary. In such briefing, counsel for Plaintiffs should specifically address the remedies they seek (including a specific cost itemization of any deposition expenses); and counsel for Defendant Behr should advise the Court as to the manner in which it responded or objected to Plaintiffs' Fed. R. Civ. P. 30(b)(6) notice prior to the deposition.

Pursuant to the oral agreement of counsel, the Court hereby **ORDERS** the following briefing schedule:

1. Counsel for Plaintiffs shall file a copy of the transcript from the deposition of Mr. Nodel by **February 8, 2013**;
2. Plaintiffs' memorandum in response to this Order is due on **February 14, 2013**;
3. Defendant Behr's memorandum in opposition is due on **February 21, 2013**;
4. Plaintiffs' reply memorandum, if any, is due on **February 26, 2013**; and

5. Said briefs shall not exceed ten pages in length.

IT IS SO ORDERED.

February 7, 2013

s/ **Michael J. Newman**
United States Magistrate Judge