

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

DWS INTERNATIONAL, INC.,
dba Marble Dimensions Worldwide, Inc.,

Plaintiff,

:

Case No. 3:09-cv-458

-vs-

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

:

MEIXIA ARTS AND HANDICRAFTS
CO., LTD, et al.,

Defendants.

ORDER SETTING BRIEFING SCHEDULE

After conferring with counsel for all parties by telephone at 4:00 p.m. on May 20, 2010, it is hereby ordered that

1. Defendant Meixia Arts shall file its memorandum in opposition to Plaintiff’s Motion to Amend (Doc. No. 45) not later than May 28, 2010; Defendant Home Casual shall file its memorandum in opposition not later than May 24, 2010. Plaintiff shall file its reply memorandum not later than June 4, 2010.
2. Plaintiff’s memoranda in response to Meixia’s Motions to Compel Arbitration and for Protective Order are due on May 24, 2010, by virtue of S. D. Ohio Civ. R. 7.2. Meixia will file its reply memorandum in support not later than May 28, 2010.

In their Amended Rule 26(f) Report, the parties declined to unanimously consent to plenary magistrate judge jurisdiction under 28 U.S.C. § 636(c) (Doc. No. 31, ¶ 3). In light of scheduling difficulties which have arisen, the parties are encouraged to reconsider that decision, particularly with respect to the pending motion to compel arbitration. Consent, of course, must be unanimous

and there will be no adverse substantive consequences of failing to consent.

May 20, 2010.

s/ **Michael R. Merz**
United States Magistrate Judge