

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

HOBART CORPORATION, et al.,	:	
Plaintiffs,	:	Case No. 3:10cv00195
vs.	:	District Judge Walter Herbert Rice Magistrate Judge Sharon L. Ovington
WASTE MANAGEMENT OF OHIO, INC., et al.,	:	
Defendants.	:	

ORDER

This case is before the Court upon Defendant Dayton Power and Light Company's Emergency Motion to Stay Magistrate's [sic] Decision and Entry Compelling Discovery and Denying Motion to Quash Pending Resolution of Objections (Doc. #111) and Plaintiffs' Brief in Opposition (Doc. #112).

Given the emergency nature of Defendant DP&L's Motion to Stay, Plaintiffs filed their Brief in Opposition on the same day Defendant DP&L filed its Motion. Plaintiffs characterize their response as a "short Brief in opposition to urge the Court to reject DP&L's improper and ill-timed motion for a stay." (Doc. #112, PageID at 1117). And "Plaintiffs hope the Court will not rule prematurely before receiving Plaintiffs['] full brief in opposition to DP&L's objections to the Magistrate's [sic] Decision and Entry, which

Plaintiffs plan to file on Monday, April 9, 2012.” (Doc. #112, PageID at 1117).

The deposition at issue is scheduled to occur on April 25, 2012. Because that date is more than two weeks from now, sufficient time remains for additional briefing and for the Court to consider and rule on Defendant DP&L’s Motion on an emergency basis – i.e., before the deposition is scheduled to occur.

Accordingly, Plaintiffs are hereby **ORDERED** to file their full Brief in Opposition **on or before April 9, 2012**; Defendant DP&L is **ORDERED** to file its Reply, if any, **on or before April 12, 2012**.

April 6, 2012

s/Sharon L. Ovington
Sharon L. Ovington
United States Magistrate Judge