

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

GARRETT DAY LLC, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	Case No. 3:15-cv-00036-WHR
v.)	
)	
INTERNATIONAL PAPER COMPANY, <i>et al.</i> ,)	Judge Walter H. Rice
)	
Defendants.)	

**ORDER GRANTING JOINT MOTION TO BIFURCATE DISCOVERY AND
ADJUDICATION OF PLAINTIFFS' CLAIMS FOR ATTORNEY FEES AND COSTS**

This cause came before the Court upon the Parties' Joint Motion to Bifurcate Discovery and Adjudication of Plaintiffs' Claims for Attorney Fees and Costs ("Motion") and the Court, having considered the same, hereby:

ORDERS that the Motion is GRANTED; and further

ORDERS that:

- (a) all factual and expert discovery on the nature and magnitude of Plaintiffs' Fee Claims be deferred until such time as this Court may rule, following trial on the merits of Plaintiffs' remaining claims, that Plaintiffs are entitled to relief on such claims;
- (b) following such ruling by the Court, the Parties shall be directed to submit to the Court a proposed schedule providing for:
 - (i) a period of time for the Parties to conduct factual discovery concerning the nature and magnitude of Plaintiffs' Fee Claims;
 - (ii) a deadline for Plaintiffs to identify any experts to support the

- reasonableness and necessity of such Fee Claims, and their opinions;
- (iii) a deadline for Defendants to identify any rebuttal experts on such Fee Claim issues. and their opinions;
 - (iv) a period of time for the Parties to conduct depositions of any proffered Fee Claim experts; and
 - (v) a briefing schedule following such discovery for: Plaintiffs to submit their formal fee application and supporting brief; Defendants to submit their briefs in opposition to such fee application; and Plaintiffs to submit a reply brief in support of their fee application.

Dated: 6-5-10



Judge Walter H. Rice