

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

GARRETT DAY LLC, <i>et al.</i> ,	:	
Plaintiffs,		
v.	:	Case No. 3:15-cv-36
INTERNATIONAL PAPER COMPANY, <i>et al.</i> ,	:	JUDGE WALTER H. RICE
Defendants.	:	

DECISION AND ENTRY SUSTAINING IN PART AND OVERRULING
IN PART MOTION TO STAY DISCOVERY PENDING RESOLUTION
OF THE HPP DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
(DOC. #249) AND DEFENDANTS' JOINT MOTION FOR STAY
PENDING RULINGS ON MOTIONS FOR SUMMARY JUDGMENT
ON FACTS (DOC. #252); RESERVING RULING ON PLAINTIFFS'
MOTION FOR LEAVE TO SEEK IN EXCESS OF FORTY REQUESTS
FOR ADMISSION (DOC. #250)

As discussed during the conference call held on October 26, 2018, the Court SUSTAINS IN PART and OVERRULES IN PART Defendants' motions to stay discovery pending resolution of the fact-based motions for summary judgment that are currently pending. Docs. ##249, 252. Following the completion of the two remaining expert witness depositions, to be completed by November 2, 2018, all remaining discovery is stayed pending the resolution of the motions for summary judgment. Plaintiffs, having chosen to proceed with these two remaining depositions, will be responsible for a fair percentage of the associated costs of

defending those depositions, if the Court sustains any of the pending motions for summary judgment in whole or part.

As agreed during the conference call, the Court also RESERVES RULING on Plaintiffs' motion for leave to seek in excess of 40 requests for admission, Doc. #250, pending resolution of the summary judgment motions, which may render moot the requests for admission.

After the Court rules on those motions, it will establish a new deadline for filing expert-based summary judgment motions and adjust the trial schedule if necessary.

Date: October 29, 2018



WALTER H. RICE
UNITED STATES DISTRICT JUDGE