

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

**DIANA FRICK and JOSEPH FRICK,** )  
her husband, )

Plaintiffs, )

v. )

**BIG LOTS STORES, INC.,** )

Defendant/ Third Party Plaintiff, )

v. )

**BUREAU VERITAS CONSUMER** )  
**PRODUCTS SERVICES, INC.;** )  
**BUREAU VERITAS CONSUMER** )  
**PRODUCTS SERVICES (INDIA)** )  
**PVT. LTD.; DESIGNCO OVERSEAS** )  
**PRIVATE LIMITED a/k/a DESIGNCO** )  
**INDIA d/b/a DESIGNCO; and HOC** )  
**INDUSTRIES, INC. f/k/a THE HOME** )  
**OIL COMPANY f/k/a THE HOME** )  
**OIL COMPANY, INC. d/b/a** )  
**HOMESTAR,** )

Third Party Defendants. )

2:15cv360

**Electronic Filing**

**MEMORANDUM ORDER**

AND NOW, this 10<sup>th</sup> day of January, 2017, upon due consideration of defendant/third-party plaintiff Big Lots' motion for leave to conduct jurisdictional discovery as to third-party defendant Designco Overseas Private Limited a/k/a Designco India and defendant Designco India's opposition thereto, IT IS ORDERED that [132] the motion be, and the same hereby is, granted. Defendant Big Lots is granted leave to conduct jurisdictional discovery from defendant Designco Overseas Private Limited a/k/a Designco India over the next 90 days. Defendant Big Lots shall commence its jurisdictional discovery without undue delay.

Defendant Big Lots has presented factual allegations that suggest with sufficient particularity that the possible existence of the requisite minimum contacts with Pennsylvania can

be established. Consequently, it is appropriate to permit the requested jurisdictional discovery before resolving the dispute about whether personal jurisdiction may be exercised over defendant Designco Overseas Private Limited a/k/a Designco India. See generally Toys "R" Us, Inc. v. Step Two, S.A., 318 F.3d 446, 455-58 (3d Cir. 2003).

s/David Stewart Cercone  
David Stewart Cercone  
United States District Judge

cc: Michael C. George, Esquire  
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*(Via CM/ECF Electronic Mail)*