

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF FLORIDA  
Miami Division

**Case Number: 03-61063-CIV-MARTINEZ-BANDSTRA**

RICHARD FRESCO, *et al.*,

Plaintiff,

vs.

AUTO DATA DIRECT, INC., *et al.*,

Defendants.

**OMNIBUS ORDER SETTING STATUS CONFERENCE ON THE PRELIMINARY  
SETTLEMENT PROCESS AND PROPOSED SECOND AMENDED COMPLAINT AND  
ADDRESSING VARIOUS PENDING MOTIONS**

THIS CAUSE came before the Court upon various pending motions. The Court has carefully considered those motions and is otherwise duly advised. Accordingly, it is hereby:

**ORDERED** and **ADJUDGED** that

1. A status conference shall take place before the undersigned, United States District Judge Jose E. Martinez, at the United States Courthouse, 301 N. Miami Ave., Miami, Florida 33128 on **Thursday, April 12, 2007 at 11:00 a.m.** A representative from the Plaintiffs, the Settling Defendants, and the Non-Settling Defendants, as well as the Proposed Limited Intervenors shall attend. Counsel shall be prepared to address all pending matters, but counsel should focus on issues related to: 1) how to proceed with the Proposed Settlement Agreement, 2) the status of the proposed Second Amended Complaint, 3) and the motion for limited intervention. **This hearing shall not exceed one hour.** The parties shall confer in good faith prior to the status conference to determine how to split the allotted time. If the parties are unable

AFFIDAVIT  
EXHIBIT 6

to agree on how to split the allotted time, the parties shall notify the Court telephonically at (305) 523-5592 on or before **Thursday, March 29, 2007 at 4:30** and the Court will decide how to split the allotted time.

2. Plaintiff's Motion to Exceed Page Limit (**D.E. No. 412**) is **GRANTED**.

3. Proposed Limited Intervenors' Motion to Stay (**D.E. No. 418**) is **DENIED without prejudice**.

4. Defendant Acxiom's Motion for Extension of Time to Respond to Motion for Preliminary Approval of Proposed Settlement (**D.E. No. 421**) is **GRANTED *nunc pro tunc***, Defendants R.L. Polk & Co. and Acxiom's Response (**D.E. No. 443**) is deemed timely filed.

5. Proposed Limited Intervenors' Amended Motion for Hearing (**D.E. No. 430**) is **GRANTED in part** in that Proposed Limited Intervenors shall be heard at the status conference.

6. Proposed Limited Intervenors' Amended Motion for Hearing (**D.E. No. 428**) is **DENIED as moot**.

7. Defendant Acxiom's Motion for Joinder in Defendant R.L. Polk & Co.'s Submissions (**D.E. No. 438**) is **GRANTED**.

8. Defendant R.L. Polk & Co.'s Motion for Oral Argument (**D.E. No. 447**) is **GRANTED in part**. Defendant R.L. Polk & Co. shall have an opportunity to be heard at the status conference.

9. Plaintiffs and Settling Defendants' Motion for Hearing on Motion for Settlement (**D.E. No. 448**) is **GRANTED in part**. These parties shall have an opportunity to be heard at the status conference.

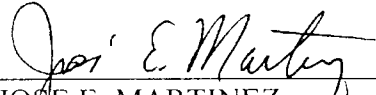
10. All parties, as well as Proposed Limited Intervenors, shall deliver a courtesy copy

directly to Chambers in Miami of any future filing that: a) exceeds thirty (30) pages or b) contains more than two exhibits.

11. All parties, not including Proposed Limited Intervenors, shall confer in good faith regarding whether the pending Motion to Strike Proposed Second Amended Complaint (D.E. No. 414) is moot in light of Plaintiff's Motion for Leave to File Second Amended Complaint (D.E. No. 426), or any other development in this litigation. On or before **Thursday, March 29, 2007 at 4:30** those parties shall file a brief joint status report concerning whether the Motion to Strike, or any other pending motion, is now moot.

12. It is the responsibility of the attorneys in this matter, including those who have already have been admitted *pro hac vice*, to ensure that docketing correctly provides notices of electronic filing.

DONE AND ORDERED in Chambers at Miami, Florida, this 16th day of March, 2007.

  
\_\_\_\_\_  
JOSE E. MARTINEZ  
UNITED STATES DISTRICT JUDGE

Copies provided to:  
Magistrate Judge Bandstra  
All Counsel of Record