

Discovery Pool cases other than *Hertel* shall take place between **December 15, 2009**, and **February 26, 2010**.

B. Revised Schedule for Defendants' Case-Specific Expert Discovery in Expert Discovery Pool Cases. Section I.G. of CMO No. 7 is modified to provide that for each case selected for the Expert Discovery Pool, other than the *Hertel* case, defendants must (i) identify any case-specific expert(s), (ii) serve reports for any such expert(s), and (iii) provide a reasonable schedule of dates on which any such expert(s) (who will offer opinions on issues other than damages) will be available for deposition by **March 16, 2010**. Section I.G. of CMO No. 7 is further modified to provide that depositions for defendants' case-specific experts in the Expert Discovery Pool cases other than *Hertel* shall take place between **March 23, 2010**, and **May 14, 2010**.

C. Revised Schedule for Case-Specific Fact Discovery. Section I.I of CMO No. 7 is modified to provide that the parties shall complete case-specific fact discovery in the Expert Discovery Pool cases, other than the *Hertel* case, by **November 27, 2009**. Section I.I of CMO No. 7 is further modified to provide that, in cases selected for the Expert Discovery Pool other than *Hertel*, plaintiffs shall serve their disclosures of case-specific fact witnesses by **November 19, 2009**, and defendants shall serve their disclosures of case-specific fact witnesses by **November 25, 2009**.

II. MODIFICATIONS TO PREVIOUSLY ESTABLISHED DISCOVERY SCHEDULE IN THE *HERTEL* CASE.

A. Schedule for Plaintiffs' Case-Specific Expert Discovery in the *Hertel* Case. Section I.F of CMO No. 7 is modified to provide that Plaintiff *Hertel* must (i) identify any case-specific expert(s), (ii) serve reports for any such expert(s), and (iii) provide a reasonable schedule of dates on which any such expert(s) (who will offer opinions on issues other than damages) will be

available for deposition by **January 15, 2010**. Section I.F of CMO No. 7 is further modified to provide that depositions of Plaintiff Hertel's case-specific experts shall take place between **January 29, 2010** and **April 12, 2010**.

B. *Schedule for Defendants' Case-Specific Expert Discovery in the Hertel Case.*

Section I.G of CMO No. 7 is modified to provide that defendants must (i) identify any case-specific expert(s) in the *Hertel* case, (ii) serve reports for any such expert(s), and (iii) provide a reasonable schedule of dates on which any such expert(s) (who will offer opinions on issues other than damages) will be available for deposition by **April 30, 2010**. Section I.G. of CMO No. 7 is further modified to provide that depositions for defendants' case-specific experts in the *Hertel* case shall take place between **May 10, 2010** and **June 30, 2010**.

C. *Schedule for Case-Specific Fact Discovery in the Hertel Case.* Section I.I of CMO No. 7 is modified to provide that the parties shall complete case-specific fact discovery in the *Hertel* case by **January 15, 2010**. Section I.I of CMO No. 7 is further modified to provide that Plaintiff Hertel shall serve disclosures of case-specific fact witnesses by **December 30, 2009**, and defendants shall serve their disclosures of case-specific fact witnesses by **January 7, 2010**.

BY THE COURT



JUDGE SANDRA MAZER MOSS
11/23/09

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