

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: VERTRUE MARKETING)	CASE NO. 09-vm-75000
and SALES PRACTICES LITIGATION)	
)	(MDL Docket No. 2044)
)	
)	<u>Case Management Order</u>
)	
)	JUDGE PATRICIA A. GAUGHAN
)	

- This Court held a case management conference in the above captioned action on August 26, 2009. It is hereby ORDERED that:
- This case is assigned to the COMPLEX track. All attorneys must be registered for electronic filing as no document will be issued via regular mail.
- This case is not suitable for ADR at this time, but may be suitable after discovery.
- In order to properly proceed in addressing the issue regarding the production of documents in previous litigation, plaintiffs may submit a document request to defendants on or before August 28, 2009. Defendants' response to the request is due September 4, 2009.

- The Court will hold a telephonic status conference on September 25, 2009 at 10:00 a.m.
The Court will initiate the call.
- Initial disclosures are due on or before September 26, 2009.
- The parties agree that a consolidated amended complaint will be filed on or before September 28, 2009.
- Briefing as to defendants' responsive pleadings will be divided into two phases. Phase one will address statute of limitations issues. Phase two will address all other alleged substantive defects in the consolidated amended complaint.
- Phase one responsive pleading is to be filed on or before October 30, 2009. Any opposition is due on or before November 24, 2009. Any reply is due on or before December 4, 2009.
- Prior to the Court's ruling on phase one, discovery may proceed as to the named plaintiffs only.
- Plaintiffs may serve discovery requests on the West entities.
- Plaintiffs will produce to this Court a mutually agreeable protective order and a mutually agreeable preservation order.

IT IS SO ORDERED.

/s/ Patricia A. Gaughan
PATRICIA A. GAUGHAN
United States District Judge

Dated: 8/26/09