

**IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI**

FEDERAL TRADE COMMISSION,

Plaintiffs,

v.

PEABODY ENERGY CORPORATION,

and

ARCH COAL, INC.,

Defendants.

Civil Action No. 4:20-cv-00317-SEP

**JOINT STIPULATED MODIFIED CASE MANAGEMENT AND SCHEDULING
ORDER**

Plaintiff Federal Trade Commission (“FTC” or “Commission”) has met and conferred with Defendants Peabody Energy Corporation (“Peabody”) and Arch Coal, Inc. (“Arch”) (collectively, “Defendants”) on a modified case management and scheduling order. The parties jointly submit the following Joint Stipulated Modified Case Management Order:

- A. STIPULATED TEMPORARY RESTRAINING ORDER.** The Court entered the Stipulated Temporary Restraining Order on February 28, 2020. Under that Stipulation, the Defendants have agreed not to, and cannot, close their transaction until after 11:59 p.m. Eastern Time on the third (3rd) business day after this Court rules on the Plaintiff’s motion for preliminary injunction.
- B. ANSWER.** Defendants shall answer or otherwise respond to Plaintiff’s Complaint on or before **March 13, 2020.**

C. **DISCOVERY.**

1. **Fact Discovery.** During the hearing on February 28, 2020, the Court authorized the commencement of fact discovery effective immediately. The parties shall complete it by **May 15, 2020.**
2. **Initial Disclosures.** By **March 9, 2020,** the parties shall serve upon each other initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1). The disclosures shall include the name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claim or defenses in this action. If the parties need to supplement or correct their Rule 26(a)(1) disclosures during the pendency of this action, they will do so pursuant to Federal Rule of Civil Procedure 26(e).
3. **Production of Investigative Materials.** Plaintiff and Defendants shall use their best efforts to produce by **March 6, 2020,** initially on an “outside counsel eyes only” basis, and at all times in compliance with Protective Order Concerning Confidentiality entered by the Court, all of their investigative materials not already produced to the other side (“Investigative Materials”). Such Investigative Materials shall include at least the following: (a) all documents or data in their possession, custody, or control that (i) any non-party provided to any party either voluntarily or under compulsory process preceding the filing of this action in the course of the parties’ assessment of or inquiries into the competitive effects of the proposed joint venture or (ii) any party, including that party’s counsel, provided to any non-party (exclusive of agents or consultants of that party retained for the purposes of the

investigation), preceding the filing of this action in the course of the parties' assessment of or inquiries into the competitive effects of the proposed joint venture; and (b) any witness statements, including transcripts of testimony, affidavits, declarations¹ or letters whether in hard-copy or electronic form, sent or received by any party, including that party's counsel, to or from any non-party, including that non-party's counsel, preceding the filing of this action in the course of the parties' assessment of or inquiries into the competitive effects of the proposed joint venture. The parties will conduct good-faith, reasonable, and diligent searches for Investigative Materials; if any Investigative Material is withheld as described in this Paragraph, the parties will meet and confer in good faith to agree on a resolution. Nothing in this Order requires the production of any party's attorney work product, confidential attorney-client communications, communications with or information provided to any potentially or actually retained expert, or materials subject to the deliberative-process or any other applicable governmental privilege.

4. Pre-Trial Discovery Conference. This stipulated Order relieves the parties of their duty under Federal Rule of Civil Procedure 26(f) to confer about scheduling and a discovery plan.
5. Third-Party Discovery. No party issuing a third-party subpoena for the production of documents or electronically stored information shall request a return date sooner than seven (7) calendar days after service. Each party shall produce all materials received pursuant to a third-party subpoena, including any declarations or affidavits obtained from a third party, to the other party within two (2) business days of receiving those

¹ Plaintiff has represented that it does not possess any declarations under oath related to this matter other than those which were included as exhibits to its Memorandum in Support of its Motion for a Temporary Restraining Order.

materials. Production shall occur in the format the materials were received, except that in the event a non-party produces documents or electronic information that are non-Bates-stamped, the party receiving the documents shall promptly Bates-stamp the documents or electronic information and produce them in an appropriate timeframe.

The parties shall serve document requests to third parties by **April 10, 2020**.

6. Limitations on Party and Third-Party Declarations or Letters. No party may proffer as evidence a declaration or affidavit from a party or third-party witness if such declaration or affidavit was executed or served less than one week prior to his or her agreed-to deposition date. In any event, no party or third-party declaration or affidavit may be proffered as evidence if it was executed or served less than ten (10) calendar days before the close of fact discovery unless it is a supplemental third-party declaration or affidavit related to a previously given third-party declaration or affidavit, in which case the parties agree to not oppose any efforts to depose such a declarant or affiant irrespective of any other provisions of this order.
7. Document Requests and Production. Each party shall be limited to twenty (20) requests for production to each party. There shall be no limit on the number of requests for production that the parties may serve on non-parties. The parties shall serve any objections to requests for the production of documents no later than ten (10) calendar days after the date of service of the document requests to which they assert objections. Within three (3) calendar days of service of any such objections, the parties shall meet and confer in a good faith attempt to resolve the objections. The parties shall substantially comply with requests for production no later than thirty (30) calendar days after the date of service. In response to any document requests, the

parties need not produce to each other in discovery in this case any documents previously produced by Defendants to the FTC in the course of the investigation of the joint venture between Peabody and Arch, FTC File No. 191-0154.

i. Document Productions shall be sent to the attention of:

1. To the FTC: Alicia Burns-Wright, Brittany Hill and James McCollough

2. To Peabody: Gregory Senn, Robert Tebbenkamp, J. Matthew Schmitten, and Cristina Thrasher

3. To Arch: Steven Pet and Pouria Sadat

8. Requests for Admission. Each party shall be permitted to serve up to five (5) requests for admission on the other side, not counting requests for admission for the authenticity of documents or admissibility of evidence. There shall be no limit on the number of requests for admission related to the authenticity of a document and admissibility of evidence.

9. Interrogatories. The parties shall serve no more than ten (10) interrogatories per side. The parties shall serve objections to interrogatories no later than ten (10) calendar days after the date of service, and responses within ten (10) calendar days thereafter. For purposes of this provision, an interrogatory requesting a refresh or update of a specification in the Second Requests, Subpoena Duces Tecum, and Civil Investigative Demands issued to the Defendants in the FTC's investigation of the proposed joint venture (FTC File No. 191-0154) will count as a single interrogatory request in this proceeding, even if the specification contains subparts.

10. Contention Interrogatories. When serving interrogatories, the issuing party shall identify any contention interrogatories as such. If the receiving party believes that an interrogatory that is not identified as a contention interrogatory is a contention interrogatory, it will provide notice of this belief no later than three (3) calendar days after it is served. The parties will then meet and confer in good faith to resolve the issue. No party shall seek through a deposition of a party attorney information that it could otherwise obtain through a contention interrogatory. The parties shall serve objections to interrogatories no later than ten (10) calendar days after the date of service, and responses within ten (10) calendar days thereafter.
11. Deadline to Issue Written Discovery to Parties. The parties shall serve document requests and interrogatories to parties by **April 6, 2020**, except that requests for admission related to the authenticity of a document or the admissibility of documents, data, or other evidence may be served no later than three (3) weeks prior to the hearing.
12. Expert Reports. The parties shall serve their expert report(s) on **May 15, 2020**. The parties shall serve their rebuttal expert report(s) on **June 5, 2020**. The parties are limited to no more than three (3) experts per side, not including rebuttal experts.
13. Disclosure of Expert Materials. At the time an expert is first disclosed by a party, that party shall provide: materials fully describing or identifying the background and qualifications of the expert, all publications of the expert within the preceding ten years, and all prior cases in which the expert has been deposed within the previous five years; and transcripts of such testimony in the possession, custody, or control of such producing party or expert, except that transcript sections under seal in a separate

proceeding do not need to be produced. Plaintiff shall disclose its experts by **March 31, 2020**, and Defendants shall disclose their experts by **April 2, 2020**.

14. Expert Materials Not Subject to Discovery. Expert disclosures, including each side's expert reports, shall comply with the requirements of Federal Rule of Civil Procedure 26(a)(2), except as modified herein:

- a) Neither side must preserve or disclose, including in expert deposition testimony, the following documents or materials:
 - i. any form of communication or work product shared between any of the parties' counsel and their expert(s) or consultants, or between any of the experts themselves;
 - ii. any form of communication or work product shared between an expert(s) and persons assisting the expert(s);
 - iii. expert's notes, unless they constitute the only record of a fact or an assumption relied upon by the expert in formulating an opinion in this case;
 - iv. drafts of expert reports, analyses, or other work product; or
 - v. data formulations, data runs, data analyses, or any database-related operations not relied upon by the expert in the opinions contained in his or her final report, except as set forth in 14(b).
- b) The parties agree that they will disclose the following additional materials with all expert reports:

- i. a list by Bates number of all documents relied upon by the testifying expert(s); and copies of any materials relied upon by the expert not previously produced that are not readily available publicly; and
- ii. for any calculations appearing in the report, all data and programs underlying the calculation, including all programs and codes necessary to recreate the calculation from the initial (“raw”) data files.

15. Exchange of Lists of Fact Witnesses to Appear at Hearing.

- a) *Preliminary Fact Witness Lists:* The parties shall exchange preliminary party and third-party witness lists no later than 6:00 p.m. Eastern Time on **March 16, 2020**. Preliminary witness lists shall include for each witness: (a) the witness’s name and employer; (b) the name, address, telephone number, and email address of the witness’s counsel (or, if not represented by counsel, the witness’s address, telephone number, and email address); and (c) a summary of the general topics of each witness’s anticipated testimony. The number of witnesses who may be included on any side’s preliminary witness list shall not exceed twenty five (25). Each party’s witness list shall represent a good faith assessment of the actual individual witnesses the party reasonably anticipates it may call at an evidentiary hearing. Defendants shall jointly submit one list. Each party will update its preliminary witness list promptly as it deletes witnesses.
- b) *Supplemental Witness Lists:* The parties may supplement their preliminary party and third-party witness list with up to ten (10) additional fact witnesses

by 6:00 p.m. Eastern Time on April 3, 2020, provided that the parties may not disclose more than five (5) such additional fact witnesses after 6:00 p.m.

Eastern Time on March 27, 2020. If a side supplements its preliminary witness list, it must strike any witnesses from its preliminary witness list so that the total number of witnesses included on its preliminary and supplemental witness lists does not exceed twenty five (25).

- c) *Final Witness Lists*: Final party and third-party witness lists shall be exchanged on or before 6:00 p.m. Eastern Time on June 5, 2020. Only a witness who appears on a party's preliminary or supplemental witness list may be included on a party's final witness list. Final witness lists shall include for each witness: (a) an indication of whether the witness will offer expert testimony; and (b) a summary of the general topics of each witness's anticipated testimony. The preliminary, supplemental, and final witness lists shall represent a good faith effort to identify all witnesses the producing party expects that it may present at the evidentiary hearing, other than solely for impeachment. The number of fact witnesses who may be included on the final witness list shall not exceed twelve (12), which shall include any witnesses one side may call live or present via deposition. Nothing herein prevents either side from offering into evidence and citing in written submissions deposition testimony provided by a witness in this litigation.

16. Depositions.

- a) Number of Depositions. Each side may depose any witness who is listed on either side's preliminary, supplemental, or final witness list, or who provides a

declaration or affidavit. Each side may take a maximum of five (5) depositions of individuals beyond those listed on either side's preliminary, supplemental, or final witness list and beyond those who provide a declaration. Investigational hearings of Defendants' employees or non-parties conducted during the FTC's investigation of the proposed joint venture (FTC File No. 191-0154) shall be treated as though they were depositions pursuant to the Federal Rules. A 30(b)(6) notice counts as no more than one deposition, in the event a party or third party designates multiple individuals. Additional depositions of fact witnesses shall be permitted only by agreement of the parties or by leave of the Court for good cause shown.

- b) Allocation of time. All depositions, including depositions of fact and expert witnesses, shall last no more than seven (7) hours. If both Plaintiff and Defendants notice any third-party fact deposition, the deposition shall count against each side's respective deposition totals, and both sides shall allocate the seven-hour time evenly between the two sides; provided, however, that if Plaintiff obtained written or oral testimony of any such third-party witness during its investigation, including by declaration, Defendants shall be allocated five of the seven hours of deposition time. Subject to the foregoing sentence, for any third-party deposition noticed by only one side, the noticing side shall be allocated five (5) hours of deposition time for direct and re-direct testimony, and the non-noticing side shall be allocated two (2) hours of deposition time for cross or re-cross testimony. For any party witness who submitted to an investigational hearing during the FTC's investigation,

Plaintiff will be limited to no more than five (5) hours of deposition time.

Unused time in any side's allocation of deposition time shall not transfer to the other side.

- c) For party witnesses or third-party witnesses retained by any party (e.g., as a consultant, agent, contractor, or representative) in connection with the proposed transaction, or any former employees of any party, the other side will have the opportunity to use six (6) hours for the deposition.
- d) Notice. The parties may not serve a deposition notice with fewer than seven (7) calendar days' notice. The parties shall consult with each other prior to confirming any deposition to coordinate the time and place of the deposition. The parties shall use reasonable efforts to reduce the burden on witnesses noticed for depositions and to accommodate the witness's schedule. If a party serves a non-party subpoena for the production of documents or electronically stored information and a subpoena commanding attendance at a deposition, the deposition date must be at least seven (7) calendar days after the original return date for the document subpoena. No deposition notice shall issue after **April 10, 2020**. If a third-party deposition is properly noticed pursuant to the above, but the third party's schedule does not reasonably accommodate a deposition before the end of fact discovery, a later deposition may occur.
- e) Deposition Designations. The parties need not designate portions of investigational hearings or depositions taken in the litigation. In advance of the preliminary-injunction hearing, the parties will meet and confer and try to reach agreement regarding the treatment of transcripts of investigational

hearings and depositions, including objections to any such testimony or transcripts, for use as part of the record in this case.

- f) In light of the particular circumstances occasioned by COVID-19 and absent a change in the current circumstances, third-party depositions should proceed through remote means pursuant to Fed. R. Civ. P. 30(b)(4). Any third party objecting to the taking of its deposition through remote means must promptly raise the matter with the noticing party and, absent resolution, promptly with the Court pursuant to Paragraph C.19 of the Case Management Order.

17. Expert Depositions. One seven-hour deposition of each expert shall be allowed. For any expert who provides more than one report, the noticing party may split that seven-hour deposition at its discretion over two days, the second day of which shall be after service of the expert's rebuttal report. Expert depositions must be conducted on or before **June 16, 2020**.

18. Discovery Uses. All discovery taken in the above-captioned litigation can be used in connection with the Part 3 administrative proceeding (FTC Docket No. 9391). Only discovery obtained by a party in the Part 3 administrative proceeding before the close of fact discovery in this proceeding may be used as part of this litigation.

19. Before filing any discovery-related motion, the parties must meet and confer (i.e., in person or by phone, not by email or letter) in a good faith attempt to resolve the dispute. If the parties are unable to reach an agreement without court intervention, they **must** file a **joint** memorandum requesting a conference. The joint memorandum must clearly delineate (e.g., in bullet points) the subject of the disagreement and the parties' attempts to resolve it. It may not exceed three (3) pages in length.

D. MOTIONS AND BRIEFING SCHEDULE

20. Plaintiff will file its memorandum in support of its motion for a preliminary injunction by **May 19, 2020**. This brief is not to exceed 45 pages.
21. Defendants will file their opposition to the Plaintiff's motion for a preliminary injunction by **June 10, 2020**. This brief is not to exceed 50 pages.
22. Plaintiff will file its reply memorandum in further support of its motion for a preliminary injunction by **June 19, 2020**. This brief is not to exceed 25 pages.
23. Any motions *in limine*, including any *Daubert* motions, shall be filed by **June 12, 2020**. Responses to motions *in limine* shall be filed by **June 17, 2020**.
24. The parties' proposed findings of fact and conclusions of law shall be filed by ten (10) days after the close of the evidentiary hearing. Each party's proposed findings of fact and conclusions of law shall not exceed 100 pages.

E. PRELIMINARY INJUNCTION EVIDENTIARY HEARING

25. The Court has scheduled an evidentiary hearing on Plaintiff's motion for a preliminary injunction to begin on **June 22, 2020**. The parties will meet and confer promptly after the close of fact discovery with the goal of making a joint proposal to the Court as to how much time each side will have to present its case, including opening statements and closing statements. Examination time will count against the side conducting the examination of the witness, with both direct examination and cross-examination of witnesses counting against the side conducting the examination. Plaintiff may reserve a portion of its time for rebuttal.

F. OTHER MATTERS

26. Service. Service of any documents not filed via ECF, including discovery requests,

Rule 45 subpoenas for testimony or documents, expert disclosure, and delivery of all correspondence, whether under seal or otherwise, shall be by electronic mail to the following individuals designated by each party:

i. For Plaintiff:

1. Daniel Matheson: dmatheson@ftc.gov (Principal Designee)
2. Amy Dobrzynski: adobrzynski@ftc.gov
3. Michael Franchak: mfranchak@ftc.gov
4. Joshua Goodman: jgoodman@ftc.gov
5. Brittany Hill: bhill1@ftc.gov
6. James McCollough: jmccollough@ftc.gov

ii. For Defendants:

1. For Peabody:

- a. Ted Hassi: thassi@debevoise.com (Principal Designee)
- b. Michael Schaper: mschaper@debevoise.com
- c. J. Robert Abraham: jrabraham@debevoise.com
- d. Leah Martin: lmartin@debevoise.com
- e. Tristan Ellis: tmellis@debevoise.com
- f. Gregory Senn: gasenn@debevoise.com
- g. Robert Tebbenkamp: rhtebben@debevoise.com
- h. Gorav Jindal: gjindal@akingump.com
- i. Corey Roush: croush@akingump.com
- j. J. Matthew Schmitten: mschmitten@akingump.com
- k. Cristina Thrasher: cthrasher@akingump.com

2. For Arch:

- a. Stephen Weissman: stephen.weissman@bakerbotts.com
- b. Michael Perry: michael.perry@bakerbotts.com
- c. William Lavery: william.lavery@bakerbotts.com
- d. Steven Pet: steven.pet@bakerbotts.com
- e. Pouria Sadat: pouria.sadat@bakerbotts.com

In the event that any documents are too voluminous for electronic mail, the parties shall serve an electronic version of the papers on opposing counsel via Accellion, an electronic file transfer platform. The serving party will telephone or email the other side's principal designee when the materials are sent to alert them that the materials are being served. Service of correspondence or formal papers by 11:59 p.m. Eastern Time shall be considered filed on that day. For purposes of this provision, service of discovery requests or productions from parties or third parties after 5:59 p.m. Eastern Time shall be considered served the next business day.

27. Nationwide Service of Process. Good cause having been shown in view of the geographic dispersion of potential witnesses in this action, the parties will be allowed nationwide service of process of discovery and trial subpoenas pursuant to Federal Rule of Civil Procedure 45 and 15 U.S.C. § 23, to issue from this Court. The availability of nationwide service of process, however, does not make a witness who is otherwise "unavailable" for purposes of Federal Rule of Civil Procedure 32 and

Federal Rule of Evidence 804 available under these rules regarding the use at trial of a deposition taken in this action.

28. Third-Party Confidential Information. The Protective Order Concerning Confidentiality entered by the Court shall govern discovery and production of Confidential Information. Any Party serving discovery requests, notices, or subpoenas sent to a non-party shall provide the non-party with a copy of the Protective Order.
29. Privilege Logs. The parties agree to suspend the obligations of Federal Rule of Civil Procedure 26(b)(5)(A) to produce a log of privileged materials withheld from discovery taken in this action. Notwithstanding the foregoing, the parties shall log withheld materials that are: (1) authored by, addressed to, or received from any non-party; or (2) internal to a party that are not authored by, sent to, or received from the party's attorneys. For purposes of this paragraph, a "non-party" excludes a party's retained expert(s) and employees of such expert(s) within the meaning of Federal Rule of Civil Procedure 26(b) or/and Federal Rule of Evidence 804. The parties shall maintain all documents responsive to a discovery request that they withhold pursuant to a claim of privilege or protection.
30. Inadvertent Production of Privileged Material. In accordance with Federal Rule of Civil Procedure 16(b)(3)(B)(iv) and Federal Rule of Evidence 502(d), inadvertent production of documents or communications containing privileged information or attorney work product shall not be a basis for loss of privilege or work product of the inadvertently produced material, provided that the producing party notifies the receiving party within five (5) business days of learning of the inadvertent

production. When a party determines that it has inadvertently produced such material, it will notify other parties, who will promptly return, sequester, or delete the protected material from their document management systems. Within two (2) business days of identifying inadvertently produced information or documents(s), the party seeking claw-back of such materials shall provide a revised privilege log for the identified information or documents. A Party may move the Court for an order compelling production of the material, but such Party may not assert as a ground for entering such an order the mere fact of inadvertent production. The Party asserting the privilege must file its opposition under seal and submit a copy of the material in question for in camera review.

31. Electronically Stored Information. The parties agree as follows regarding the preservation and production of electronically stored information (“ESI”)
- a) All Parties have established litigation holds to preserve ESI that may be relevant to the expected claims and defenses in this case. In addition, the Parties have taken steps to ensure that automatic deletion systems will not destroy any potentially relevant information.
 - b) All Parties agree that the use of Technology Assisted Review tools may assist in the efficient production of ESI. However, if a party desires to use such technologies, it shall meet and confer with the other side and negotiate in good faith on the reasonable use of such technology.
 - c) All parties will request ESI in the form or forms that facilitate efficient review of ESI. In general, the parties will produce ESI according to the same ESI

technical specifications used by Defendants in the FTC's pre-complaint investigation.

32. Evidentiary Presumptions.

- a) Documents produced by non-parties from the non-parties' files shall be presumed to be authentic and admissible. Any good-faith objection to a document's admissibility must be provided with the exchange of other objections to trial exhibits. If a party serves a specific good-faith written objection to the document's authenticity, the presumption of authenticity will no longer apply to that document and the parties will promptly meet and confer to attempt to resolve any objection. The Court will resolve any objections that are not resolved through this means or through the discovery process.
- b) All documents produced by a Defendant either in response to document requests in this litigation or in the course of the FTC's pre-complaint investigation of the proposed joint venture, FTC. File No. 191-0154, are presumed to be authentic and admissible. If a party serves a specific good-faith written objection to the document's admissibility, the presumption of authenticity will no longer apply to that document and the parties will promptly meet and confer to attempt to resolve any objection. The Court will resolve any objections that are not resolved through this means or through the discovery process.
- c) Any party may challenge the authenticity or admissibility of a document for good cause shown, and if necessary may take discovery or obtain declarations

related solely to authenticity or admissibility of documents, notwithstanding any discovery limits otherwise imposed by this Order.

33. Modification of Scheduling and Case Management Order. Any party may seek modification of this Order for good cause, except that the parties may also modify discovery and expert disclosure deadlines by agreement.
34. Statement Regarding Local Rule 5.02. Consistent with Local Rule 5.02, the parties' track preference is Track 2 because this case is expected to be concluded within 18 months of filing, with motion and discovery schedules established by a Case Management Order issued after a Rule 16 Scheduling Conference.
35. Exhibit Lists. The parties shall exchange final exhibit lists on or before **June 8, 2020**. Objections shall be filed on or before **June 16, 2020**. The parties will file their final exhibit lists with the Court on or before **June 17, 2020**.
36. FRCP 6(a)(1)(C) is to be applied when computing the deadlines in this Order.

PROPOSED SCHEDULE

Event	Date(s)
Discovery Commences	February 28, 2020
Initial Disclosures	March 9, 2020
Defendants' Answer to Plaintiff's Complaint	March 13, 2020
Preliminary Fact Witness Lists	March 16, 2020
Plaintiff's Expert Disclosures	March 31, 2020
Defendants' Expert Disclosures	April 2, 2020
Supplemental Fact Witness Lists	April 3, 2020
Deadline to Serve Written Discovery to Parties (Excluding Requests for Admission for Authentication/Admissibility)	April 6, 2020
Deadline to Serve Written Discovery to Third Parties	April 10, 2020
Deadline to Serve Deposition Notices for Fact Witnesses	April 10, 2020
Expert Report(s) Due	May 15, 2020
Close of Fact Discovery	May 15, 2020
Plaintiff's Memorandum of Law in Support of Preliminary Injunction Motion	May 19, 2020
Deadline to Serve Requests for Admission for Authentication/Admissibility	June 1, 2020
Exchange of Final Witness Lists	June 5, 2020
Rebuttal Expert Report(s) Due	June 5, 2020
Exchange of Exhibit Lists	June 8, 2020

Event	Date(s)
Defendants' Opposition to Plaintiff's Motion for Preliminary Injunction	June 10, 2020
Last Day to File Motions <i>In Limine</i>	June 12, 2020
Last Day for Objections to Exhibit Lists	June 16, 2020
Close of Expert Discovery	June 16, 2020
Last Day to File Responses to Motions <i>In Limine</i>	June 17, 2020
Final Exhibit Lists Due	June 17, 2020
Pre-Hearing Conference	June 18, 2020
Plaintiff's Reply to Defendants' Opposition to Preliminary Injunction Motion	June 19, 2020
Evidentiary Hearing Begins	June 22, 2020
Proposed Findings of Fact and Conclusions of Law	10 days following conclusion of hearing

Dated: April 9, 2020

SO ORDERED.

A handwritten signature in cursive script that reads "Sarah E. Pitlyk". The signature is written in black ink and is positioned above a short horizontal line.

Hon. Sarah E. Pitlyk
United States District Judge