

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

IN RE: Family Dollar Stores, Inc.,)	
Pest Infestation Litigation)	
)	
This Document Relates To:)	2:22-md-03032-SHL-tmp
ALL CASES)	(MDL Docket No. 3032)
)	

CASE MANAGEMENT ORDER NO. 9: APPROVING STIPULATED DEADLINES

Before the Court is the Parties' Joint Motion for Order Approving Stipulation Concerning Case Management Deadlines, filed March 22, 2023. (ECF No. 133.) The Parties request an extension of a number of deadlines set by the Court in Case Management Order No. 8, (ECF No. 69), as well as the setting of new ones. (See ECF No. 133 at PageID 2891-92.) The Parties aver that extensions are necessary given how discovery has progressed throughout the case as they require additional time to finish producing documents, which similarly affects deadlines for Class Certification related filings. (Id.)

First, the Court notes that the proposed deadlines include more time in between deadlines than the previous schedule, thus extending the schedule in two ways. However, with the understanding that any further extensions of these deadlines will not be granted, absent extraordinary circumstances, the stipulated deadlines proposed by the Parties are **ADOPTED**.

The following dates are therefore established as the final deadlines for:

CLASS CERTIFICATION DISCOVERY

- 1) DEFENDANTS' SUBSTANTIAL COMPLETION OF DOCUMENT PRODUCTIONS IN CONNECTION WITH CLASS CERTIFICATION:**

April 28, 2023

Defendants will produce documents on a rolling basis as interim batches are ready for production through this date.

- 2) PLAINTIFFS' SUBSTANTIAL COMPLETION OF DOCUMENT PRODUCTIONS: The earlier of (a) April 28, 2023, or (b) sufficiently in advance of named plaintiff deposition (if that plaintiff was not deposed).**

Plaintiffs will produce documents on a rolling basis as interim batches are ready for production through this date.

- 3) DEADLINE TO COMPLETE DEPOSITIONS RELATED TO CLASS CERTIFICATION:**

May 31, 2023

CLASS CERTIFICATION

- 1) DEADLINE FOR PLAINTIFFS TO FILE MOTIONS FOR CLASS CERTIFICATION AND SERVE ANY EXPERT REPORTS RELATED TO CLASS CERTIFICATION:**

June 30, 2023

- 2) DEADLINE FOR DEFENDANTS TO RESPOND TO MOTIONS FOR CLASS CERTIFICATION AND SERVE ANY EXPERT REPORTS RELATED TO CLASS CERTIFICATION:**

September 13, 2023

- 3) DEADLINE FOR PLAINTIFFS TO FILE REPLIES IN SUPPORT OF MOTIONS FOR CLASS CERTIFICATION AND SERVE ANY REBUTTAL EXPERT REPORTS RELATED TO CLASS CERTIFICATION:**

October 13, 2023

- 4) DEADLINE TO FILE ANY *DAUBERT*/RULE 702 MOTIONS FOR CLASS CERTIFICATION EXPERTS:**

November 13, 2023

- 5) DEADLINE TO FILE RESPONSE BRIEFS TO ANY *DAUBERT*/RULE 702 MOTIONS:**

December 4, 2023

- 6) DEADLINE TO FILE REPLY BRIEFS TO ANY *DAUBERT*/RULE 702 MOTIONS:**

December 18, 2023

If the Court conducts a hearing on the class certification and *Daubert*/Rule 702 Motions, it will be set at a later date.

This order has been entered after consultation with the Parties. Absent extraordinary circumstances, the deadlines set by this Order will not be modified or extended.

IT IS SO ORDERED, this 27th day of March, 2023.

s/ Sheryl H. Lipman

SHERYL H. LIPMAN
CHIEF UNITED STATES DISTRICT JUDGE