

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

John J. Weber,
Plaintiff,

v.

FUJIFILM Medical Systems U.S.A., Inc., Hiroaki
Tada, FUJIFILM Holdings America Corporation,
FUJIFILM Holdings Corporation, and FUJIFILM
Corporation,
Defendants.

Civil No. 3:10cv401 (JBA)

October 5, 2009

ENDORSEMENT ORDER/SCHEDULING ORDER

Pursuant to the colloquy with counsel on the record on October 4, 2010, the following is ordered:

1. Defendants' Motion for a Pre-Filing Conference and for a Stay of Discovery [Doc. # 110] is GRANTED in part with respect to Defendant's request for a pre-filing conference, which was held this date. The Motion is WITHDRAWN with respect to the stay of discovery in light of service on FUJIFILM Holdings Corporation on September 21, 2010 under the Hague Convention. Defendants' Motion for an Expedited Hearing on Defendants' Request for a Pre-Filing Conference and for a Stay of Discovery [Doc. # 112] is also GRANTED in part with respect to Defendants' request for an expedited pre-filing conference, which was held this date. The Motion is WITHDRAWN with respect to the stay of discovery in light of service on FUJIFILM Holdings Corporation.

2. Plaintiff's Motion for Clarification and Extension and Approval of Service [Doc. # 111] is DENIED as moot on consent.

3. Defendants' Motion for Leave [Doc. # 120] to File Response to Plaintiff's Motion for Clarification and Extension and Approval of Service [Doc. # 111] is DENIED as moot.

4. Defendant FUJIFILM Holdings Corporation's Motion to Dismiss [Doc. # 121] Plaintiff's Third Amended Complaint Pursuant to Rule 12(b)(5) is DENIED as moot on consent.

5. Defendant FUJIFILM Corporation's Motion to Dismiss [Doc. # 123] Plaintiff's Third Amended Complaint Pursuant to Rule 12(b)(5) is DENIED as moot on consent.

6. Plaintiff's Motion to Strike [Doc. # 132] FUJIFILM Holdings Corporation's Second Motion to Dismiss is DENIED for the reasons set out on the record on October 4, 2010.

7. Defendant FUJIFILM Holdings Corporation's Motion to Dismiss [Doc. # 129] Defendant's Third Amended Complaint Pursuant to Rule 12(b)(2) was filed on September 13, 2010. The following schedule is ordered with respect to the Motion to Dismiss:

- a. Plaintiff's Opposition will be filed by November 11, 2010.
- b. Defendant FUJIFILM Holdings Corporation's Reply will be filed by November 22, 2010.
- c. Oral argument will be held on December 8, 2010 at 9:30 a.m., Courtroom Two, 141 Church Street, New Haven, Connecticut.

8. Plaintiff's Motion for Extension of Time for Expert Disclosure [Doc. # 145] is GRANTED without objection. The following schedule is ordered with respect to expert discovery:

- a. Defendants will supplement their discovery response on SERP-related issues no later than October 8, 2010.
- b. Plaintiff's SERP expert report will be served by October 29, 2010.
- c. The deposition of Plaintiff's SERP expert will be taken by November

29, 2010.

d. Defendants' SERP expert report will be served by December 20, 2010.

e. The deposition of Defendant's SERP expert will be taken by January 19, 2011.

9. Defendant FUJIFILM Holdings Corporation will respond to Plaintiff's discovery requests, including Plaintiff's Requests for Admissions, no later than October 21, 2010.

IT IS SO ORDERED.

/s/
Janet Bond Arterton, U.S.D.J.

Dated at New Haven, Connecticut this 5th day of October, 2009.