

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MAURICE JAMES SJOBLOM,
on behalf of himself and a class of employees
and/or former employees similarly situated,

ORDER

Plaintiff,

3:07-cv-0451-bbc

v.

CHARTER COMMUNICATIONS, LLC,
CHARTER COMMUNICATIONS (CCI),
INC. and CHARTER COMMUNICATIONS,
INC.

Defendants.

Before the court is plaintiff's motion to extend the deadlines for designating Rule 23 certification experts and briefing Rule 23 certification issues. Plaintiff argues that because briefing on the motion for conditional certification of the federal collective action has been delayed by three months, the corresponding deadlines for the Rule 23 class certification issues should be adjusted. See Preliminary Pretrial Conference Order, dkt. #23. He proposes designating his experts 60 days prior to the conclusion of the opt-in period for the federal collective action, if any, and commencing briefing on Rule 23 class certification issues 15 days after the opt-in period closes. Defendants do not object to an extension of these

deadlines but propose substantially longer extensions following the close of the opt-in period, arguing that plaintiff's proposal is not workable.

Given the delay in briefing of the motion for conditional certification, I agree that an adjustment of the deadlines for Rule 23 class certification experts and briefing is appropriate. I anticipate ruling on plaintiff's motion for conditional certification in early March 2008. If the motion is granted, I will set an opt-in period of 60 days. Accordingly, I am setting the following deadlines:

- The parties will have two weeks, or until February 26, 2008, within which to disclose the identity of their experts under Rule 26(a)(2)(A).
- Plaintiff will have until April 18, 2008 to make the required disclosures under Rule 26(a)(2)(B) regarding his expert(s). Defendants' Rule 26(a)(2)(B) expert disclosures are due May 16, 2008.
- Motions to certify a Rule 23 class or decertify the federal collective action, if any, are due May 30, 2008. Response briefs are due June 20, 2008 and reply briefs are due June 30, 2008.

Soon after this briefing is completed, the court will set a hearing on Rule 23 class certification issues and any issues related to a possible motion for decertification of the federal collective action. The parties' expert witnesses will have an opportunity to testify at the hearing.

ORDER

IT IS ORDERED that the preliminary pretrial conference order entered on October 19, 2007 is revised to the following extent:

1. Rule 26(a)(2)(A) disclosures are due February 26, 2008;
2. Plaintiff's Rule 26(a)(2)(B) expert disclosures are due April 18, 2008. Defendants' Rule 26(a)(2)(B) expert disclosures are due May 16, 2008; and
3. Motions to certify a Rule 23 class or decertify the federal collective action, if any, are due May 30, 2008. Response briefs are due June 20, 2008 and reply briefs are due June 30, 2008.

Entered this 12th day of February, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge