

CONFERENCE MEMORANDUM AND ORDER. Pursuant to Fed. R. Civ. P. 16 and D. Conn. L. Civ. R. 16, and upon referral from Judge Shea (ECF No. 78), the undersigned held a scheduling conference today. The conference dealt principally with (a) the schedule for fact discovery, upon which the parties substantially agree; (b) the schedule for expert discovery and class certification motions, upon which the parties presented competing proposals in their Rule 26(f) report (ECF No. 71); and (c) settlement. After reviewing the competing proposals and the authorities cited in support of them, and after hearing the arguments of counsel, the Court expressed the following views. First, with respect to the parties' joint proposal for fact discovery, the undersigned finds the proposal reasonable and consistent with Fed. R. Civ. P. 1, and he therefore expects to adopt it with one amendment - that the parties provide joint discovery status reports every sixty days until fact discovery is completed. Second, with respect to the schedule after the fact discovery period, the undersigned generally agreed with the defendants that there should be separate periods for expert discovery on issues relevant to class certification and expert discovery on merits issues, but it generally agreed with the plaintiffs that they should not be expected to brief class certification before the defendants serve their class expert witness reports. Third, the schedule should include a date on which the parties will ask for a referral to another Magistrate Judge for purposes of mediation. After hearing this, the parties asked for a brief period in which to meet and confer in an effort to come up with an agreed scheduling proposal incorporating the Court's views. The Court granted this request, and it accordingly orders the parties to meet and confer for this purpose and to file an agreed scheduling proposal by 5:00 p.m. Eastern time on Thursday, October 31, 2024. If the parties are unable to reach an agreement, they may instead file a status report detailing the areas of remaining disagreement. The Court intends to adopt a schedule by close of business on Friday, November 1, 2024. Finally, the Court directed the parties to carefully review Judge Shea's chambers practices if they have not done so already, including in

particular his Instructions for Discovery Disputes. The chambers practices may be found on the District of Connecticut website at [www.ctd.uscourts.gov/content/michael-p-shea](http://www.ctd.uscourts.gov/content/michael-p-shea). Signed by Judge Thomas O. Farrish on 10/29/24.(Wood, R.) (Entered: 10/29/2024)