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DISTRICT OF UTAH
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IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

WORLD WIDE ASSOCIATION OF
SPECIALTY PROGRAMS,

Plaintiff,

vs.

PURE, INC., et al.,

Defendants.

ORDER RESOLVING DISCOVERY
ISSUES

Case No. 2:02 CV 10 PGC

For the reasons stated during the April 15, 2004 telephone conference, the court issues the following order regarding outstanding discovery issues:

1. Defendants' request for further file information prepared by Wynona Musser and for all World Wide computers is denied.

2. Defendants' request that plaintiff's counsel supply information they have obtained from internet websites relating to Ms. Scheff or PURE is denied. All documents used in depositions will be marked as exhibits and supplied to opposing counsel. A mutual exchange of witness lists and exhibits will take place at the time of development of the Pretrial Order in this case.

3. If he has not done so already, Plaintiff's counsel needs to state in writing whether all responses to subpoenas by non-party programs have been provided. If responses have been provided, no further response to the subpoenas is necessary.

4. Defendants are ordered to produce by April 20, 2004, all documents listed on their Privilege Log except the last item (letter from Paul Reeves to Sue Scheff and counsel). Defendant's counsel may redact from the documents interview notes of Paula Reeves interview with Randle Hinton any attorney thought process or litigation strategy.

5. The Order submitted by defendants' counsel regarding the March 11, 2004, telephone hearing (# 159), though moot on many subjects, is not moot on all subjects and still stands. To the extent that the prior order conflicts, this order supercedes the prior order.

Scheduling

Because they may be relevant to summary judgment issues, the court directs briefing on any motions in limine and motions to exclude expert testimony on *Daubert* grounds, to be completed before the summary judgment hearing scheduled for **July 8, 2004**. The court sets the following briefing schedule:

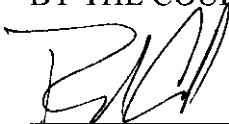
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| 1. Any motions in limine, or motions to exclude expert testimony on <i>Daubert</i> grounds | June 11, 2004 |
| 2. Responsive Pleadings | June 25, 2004 |
| 3. Hearing on motions for summary judgment and all other pending motions. | July 8, 2004, at 3:00 p.m. |
| 4. Final Pre-trial Conference | July 19, 2004, at 3:00 p.m. |
| 5. 5-day Jury trial | August 2-7, 2004. |

While the parties may each file as many motions in limine, etc., as they desire, each side is limited to a single consolidated supporting memorandum of 25 pages in support of such motions and a single consolidated responsive pleading of 25 pages.

SO ORDERED.

DATED this 23rd day of April, 2004.

BY THE COURT:



Paul G. Cassell
United States District Judge

United States District Court
for the
District of Utah
April 26, 2004

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:02-cv-00010

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

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