

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN W. FERRON,

Plaintiff,

v.

VC E-COMMERCE SOLUTIONS, INC., et al.,

Defendants.

Case No. 2:06-cv-322

JUDGE GREGORY L. FROST

Magistrate Judge Mark R. Abel

ORDER

This matter came before the Court for a March 28, 2007 status conference. For the reasons set forth at that conference, the Court issues the following orders:

(1) Pursuant to Defendants' representation, Defendants will serve its additional interrogatories within ten (10) days of this Order.

(2) The Court **DENIES** Plaintiff's objections (Doc. # 62) to the Magistrate Judge's January 23, 2007 Order (Doc. # 58). The \$150.00 sanction must be paid within thirty (30) days of this Order.

(3) The Court **DENIES** Plaintiff's objections (Doc. # 65) to the Magistrate Judge's January 26, 2007 Order (Doc. # 60). The parties shall schedule the Richter depositions to take place in Colorado, with the depositions to satisfy discovery in both Case Nos. 2:06-cv-322 and 2:06-cv-327. Plaintiff shall forward to Defendant Optinrealbig.com, LLC a copy of the reporter's fees awarded as a sanction as soon as possible, and that defendant shall pay the sanction within thirty (30) days of the receipt of that bill.

(4) The Court construes Defendants' February 2, 2007 Motion to Reconsider Sanctions

(Doc. # 66) as objections to the Magistrate Judge's January 23, 2007 Order (Doc. # 58) and **DENIES** the objections.

(5) In light of the foregoing orders, the Court **DENIES** Defendants' motion to stay execution of sanctions (Doc. # 68) as **MOOT**.

(6) Upon good cause shown, the Court **GRANTS** Plaintiff's Motion for Enlargement of Time to File Motions Seeking Leave to Amend the Pleadings or Add Parties. (Doc. # 80.) Defendant Optinrealbig.com, LLC shall provide its supplemental discovery responses within fourteen (14) days of his Order. Plaintiff shall amend the pleadings or add parties within thirty (30) days of this Order.

(7) The Court **GRANTS** Plaintiff's Motion for Leave to File Second Amended Complaint. (Doc. # 81.) The Clerk shall **not** file the proffered amended complaint on the docket, however. By agreement of the parties, Plaintiff will instead file a new Second Amended Complaint within thirty (30) days of this Order that incorporates all new claims and new parties.

(8) The Court **VACATES** the July 16, 2007 dispositive motion filing deadline and the related September 15, 2007 non-oral hearing. The final pretrial conference and trial date remain as previously set. The Court will reschedule the vacated dates at a future conference subsequent to the filing of the Second Amended Complaint.

(9) The Court **ORDERS** that the parties must contact Chambers in a joint telephone call before any party can file any motion related to a discovery dispute.

IT IS SO ORDERED.

s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE