

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Case Type: Employment

Clifford L. Whitaker and Michael V.
Mucci, on behalf of themselves and all
others similarly situated,

File No. C4-04-12239

Plaintiffs,

**ORDER DENYING PLAINTIFFS' MOTION
TO PRECLUDE THE USE OF DATA,
SHIFT CERTAIN DISCOVERY COSTS,
AND MODIFY THE AMENDED
PHASE ONE SCHEDULING ORDER**

v.

3M Company,

Defendant.

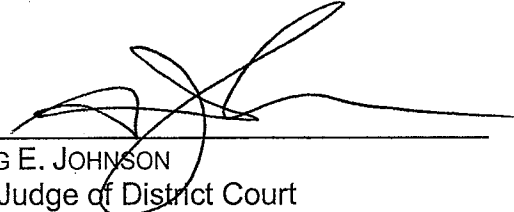
The above matter came before the Court on January 16, 2006, upon Plaintiff's Motion to Preclude the Use of Data, Shift Certain Discovery Costs, and Modify the Amended Phase One Scheduling Order.

Based upon the arguments of counsel, and upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. Plaintiffs' Motion to Preclude the Use of Data and for Additional Discovery is denied.
2. Plaintiffs' Motion to Shift Certain Discovery Costs is denied.
3. The parties shall meet and confer by April 27, 2007, for the purpose of submitting an agreed-upon amended Phase One Scheduling Order.
4. In the event that the parties are unable to arrive at a mutually agreed-upon amended Phase One Scheduling Order by April 27, 2007, each party shall submit a proposed order for the court's consideration.

Dated: April 13, 2007


GREGG E. JOHNSON
Chief Judge of District Court