

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

PERRY APSLEY, et al.,

Plaintiffs,

v.

**THE BOEING COMPANY, THE ONEX
CORPORATION, and SPIRIT
AEROSYSTEMS,**

Defendants.

Case No. 05-1368-MLB

ORDER

The court conducted a status conference on May 9, 2007 to address (1) a sampling protocol for electronic discovery and (2) plaintiffs' issuance of 11 subpoenas duces tecum. Appearing for plaintiffs were Lawrence Williamson and Uzo Ohaebosim. Appearing for defendants were James Armstrong, Trisha Thelen, and Todd Tedesco.¹ The discussions and rulings are memorialized as follows:

1. The parties' proposed sampling protocol order was discussed and approved subject to (1) minor modifications and (2) an issue concerning language asserting a "non-waiver" of inadvertently disclosed privileged material. The proposed order was taken under advisement.

2. Subpoenas duces tecum issued by plaintiffs shall be withdrawn. The parties shall confer on the scope of discovery and defendants

¹

Gloria Flentje, in-house counsel for Spirit, was also in attendance.

shall file any motion to clarify the scope of discovery by **May 22, 2007.**

3. An in-person status conference is scheduled for **August 22, 2007 at 10:00 a.m.** before Karen M. Humphreys, United States Magistrate Judge, Courtroom 326, United States Courthouse, 401 N. Market, Wichita, Kansas.

IT IS SO ORDERED.

Dated at Wichita, Kansas this 11th day of May 2007.

S/ Karen M. Humphreys

KAREN M. HUMPHREYS
United States Magistrate Judge