

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

MELISA GONZALEZ, et al.,	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 06-2163-KHV
	)	
PEPSICO, INC., et al.,	)	
Defendants.	)	

**ORDER**

On January 29, 2007, pursuant to Fed. R. Civ. P. 16(b), the court conducted a telephone scheduling conference in this case with the parties. Plaintiffs appeared through counsel Neil Sader and Andrew Rainer. Defendant PepsiCo, Inc. appeared through counsel Ricky Shackelford and Matthew J. Verschelden. Defendant Sunny Delight Beverages appeared through counsel Leland H. Corley. Defendant Rockstar, Inc. appeared through counsel Ian Boyd.<sup>1</sup> Defendant Coca-Cola Enterprises appeared through counsel Ian Boyd and Lori Schultz while defendant The Coca-Cola Company appeared through counsel Lori Schultz.

During this scheduling conference, the court discussed with counsel for the parties preliminary discovery and scheduling issues. As a result, the court postponed entering a scheduling order in the present case. Instead, upon agreement of all the parties, the court adopted the following deadlines:

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<sup>1</sup> Mr. Boyd has not yet filed his appearance in this case. During the telephone conference Mr. Boyd and Ms. Schultz assured the court that Ms. Schultz would immediately file a motion to appear pro hac vice on Mr. Boyd's behalf.

(a) Defendants shall collectively file their response, if any, to plaintiffs' Motion for Leave to file Sur-Reply Memorandum in Opposition to Defendants' Motion to Dismiss (Doc. 55) by **February 1, 2007**;

(b) By **February 8, 2007**, defendants shall collectively file a Motion to Stay All Discovery Pending Resolution of Defendants' Motion to Dismiss, or in the alternative, to Bifurcate Discovery. Plaintiffs shall respond to defendants' Motion by **February 16, 2007** and defendants shall collectively file any reply in support of their motion by **February 28, 2007**. Pursuant to D. Kan. Rule 7.1(e), the arguments and authorities section of these briefs or memoranda shall not exceed 30 pages. After these issues have been fully briefed, the court will hold a status conference regarding discovery and scheduling.

IT IS SO ORDERED.

Dated this 29th day of January, 2007, at Topeka, Kansas.

s/ K. Gary Sebelius  
*K. Gary Sebelius*  
U.S. Magistrate Judge