

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

IN RE ASHLEY MADISON CUSTOMER)
DATA SECURITY BREACH LITIGATION) MDL No. 2669
)

ORDER

The Court is in receipt of the parties' Joint Proposed Scheduling Plan. (Doc. No. 182) The parties agree on a schedule for limited discovery and briefing related to Defendants' contemplated motion to stay and compel arbitration; however, Plaintiffs take the position that any Rule 12(b) motions should be subject to the same scheduling plan. In a separate memorandum, Defendants maintain that the filing of any Rule 12(b) motions should be scheduled only after the Court rules on whether the case should be stayed for arbitration. (Doc. No. 183)

The Court believes that addressing the motion to stay and compel arbitration prior to any dispositive motions, including Rule 12(b) motions, is the most orderly and efficient way to proceed at this point. Indeed, a ruling on the arbitration motion could significantly narrow dispositive motion practice or even make it unnecessary. An understanding regarding this approach is reflected in the transcripts from the Court's March 4, 2016 and June 3, 2016 status conferences. (See Doc. Nos. 183-1, 185)

Accordingly,

IT IS HEREBY ORDERED that the following schedule shall apply:

1. No later than **July 8, 2016**, the parties shall serve any written discovery reasonably necessary to address Defendants' contemplated motion(s) to stay and compel arbitration.
2. No later than **July 22, 2016**, Plaintiffs shall respond to Defendants' interrogatories.

3. No later than **August 5, 2016**, Plaintiffs shall respond to Defendants' document requests and any requests to admit, and produce documents responsive to Defendants' requests to produce. Defendants shall respond to Plaintiffs' document requests, interrogatories, and any requests to admit, and produce documents responsive to Plaintiffs' requests to produce.

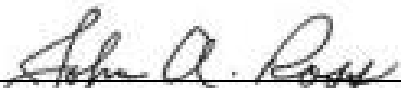
4. No later than **August 29, 2016**, Defendants shall file their motion to stay and compel arbitration.

5. No later than thirty days after Defendants file their motion to stay and compel arbitration, Plaintiffs shall file their memorandum in opposition to the motion to stay and compel arbitration.

6. No later than fourteen days after Plaintiffs file their memorandum in opposition to the motion to stay and compel arbitration, Defendants shall file their reply in support of their motion to stay and compel arbitration.

7. In the event the Court denies Defendants' motion to stay and compel arbitration, then the deadline for Defendants to answer or raise any other defenses to Plaintiffs' First Amended Consolidated Class Action Complaint, including any motions brought under Rule 12(b) of the Federal Rules of Civil Procedure, shall be addressed by the parties and the Court at that time.

Dated this 1st day of July, 2016.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE