

WHEREAS, the deponent provided by Tech Data at the corresponding June 12, 2009 deposition was unable to answer certain of Class Plaintiffs' questions relating to Tech Data's production of transactional data;

WHEREAS, Class Plaintiffs filed a motion to compel further responses from Tech Data on June 12, 2009;

WHEREAS, on June 25, 2009, the Court entered a Stipulation and Order (D.I. 1942 in 05-MD-1717) holding Class Plaintiffs' motion to compel in abeyance, through and including July 17, 2009, to allow Class Plaintiffs and Tech Data to address the unanswered deposition questions through Tech Data's submission of a written declaration and/or an additional R. 30(b)(6) deposition or depositions; and

WHEREAS, Class Plaintiffs and Tech Data agree that they need additional time to address the unanswered deposition questions, but that if they are unable to resolve the outstanding questions by July 31, 2009, briefing should proceed on Class Plaintiffs' motion to compel;

NOW, THEREFORE, IT IS HEREBY STIPULATED by Class Plaintiffs and Tech Data, subject to the approval of the Court, that:

1. Class Plaintiffs' motion to compel Tech Data will be held in abeyance through and including Friday, July 31, 2009.

2. Unless Class Plaintiffs inform the Court on or before July 31, 2009 that the issues that form the basis for Class Plaintiffs' motion to compel have been resolved, Tech Data shall file its response to Class Plaintiffs' motion, if any, on or before August 4, 2009 and Class Plaintiffs shall file a reply submission, if any, on or before August 7, 2009.

Dated: July 17, 2009

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IT IS SO ORDERED on this ____ day of _____, 2009.

Vincent J. Poppiti (DSBA No. 100614)
Special Master