

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

**BRIAN CHRISTOPHER EATON, et
al.,**

Plaintiffs,

v.

**Case No. 2:19-cv-03412
JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Chelsey M. Vascura**

ASCENT RESOURCES-UTICA, LLC,

Defendant.

ORDER

This matter is before the Court on two Orders related to scheduling: the Order Setting Trial Date and Settlement Conference (ECF No. 69) and the Order granting the Joint Motion to Modify the Case Schedule (“Case Schedule Order,” ECF No. 103). The Case Schedule Order modified deadlines (e.g., class notice, depositions, discovery completion, expert reports), and the new deadlines are triggered by Court opinions and orders and completion of discovery deadlines. (ECF No. 103.) While not stated explicitly therein, the Case Schedule Order vacated the deadlines set in the Order Setting Trial Date and Settlement Conference. For the sake of clarity, the deadlines set in the Order Setting Trial Date and Settlement Conference are **VACATED**, including the settlement conference scheduled for May 13, 2024, and trial date of June 24, 2024. (ECF No. 69.)

Since those scheduling Orders, the Court has issued the Opinion and Order on the Motion to Modify Class Definition or Compel Arbitration (ECF No. 107), triggering some deadlines in the Case Schedule Order. (*See* ECF No. 103.) Dates certain for these deadlines are listed below.

Action	Deadline	Date
Court decides Ascent's Motion to Modify Class Definition or Compel Arbitration (ECF No. 74)	April 4, 2024 (ECF No. 107)	April 4, 2024
Ascent to produce class members addresses	45 days following the Court's resolution of Ascent's Motion to Modify Class Definition or Compel Arbitration; or there is an appeal of the Court's order, then 30 days following the Sixth Circuit's resolution of the appeal	May 20, 2024, unless the Court's Opinion and Order (ECF No. 107) is appealed.
Plaintiffs to effectuate class notice	75 days following Ascent's production of address for class members	August 5, 2024
Deadline for class members to opt-out	60 days following the mailing date	October 4, 2024
Court decides both Plaintiffs' Motions for Partial Summary Judgment (ECF Nos. 71, 85)	Based on the one-way intervention rule, the Parties agreed that the Court should resolve these motions on Court's schedule, but not earlier than the deadline for class members opt-out deadline	October 4, 2024

The Court will enter dates certain for the remaining deadlines when the Court issues its Opinion and Order on Plaintiffs' pending motions for partial summary judgment. (ECF Nos. 71, 85.)

IT IS SO ORDERED.

5/2/2024
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE