UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

INTERMARK FABRIC CORPORATION	:	
	:	
Plaintiff,	:	
	:	
vs.	:	C.A. No. 3:02-CV-1267 (AVC)
	:	
MICROFIBRES, INC.	:	

JOINT MOTION TO AMEND SCHEDULING ORDER

The parties jointly move this Honorable Court to amend the Scheduling Order. As grounds therefore, the parties state as follows:

1. Following the granting of Plaintiff's motion to amend the complaint to include causes of action relating to, *inter alia*, alleged antitrust violations, the Court entered a scheduling order on May 21, 2004 covering said additional causes of action.

2. Plaintiff thereafter propounded requests for documents and interrogatories upon Defendant.

3. Defendant has requested and Plaintiff has agreed to extend the deadline for responding to said written discovery to September 28, 2004.

4. Under the current scheduling order expert reports are due on or before October 1, 2004, rebuttal reports are due on or before November 1, 2004, all discovery is set to close on December 15, 2004 and dispositive motions are to be filed on or before January 15, 2005.

WHEREFORE, based on the above and given the complex nature of antitrust claims, the parties jointly request that the scheduling order be modified as follows so as to provide sufficient time for experts to review Defendant's responses to Plaintiff's

discovery requests and adequate time for the parties to complete necessary additional discovery:

1. The parties shall designate all trial experts concerning the additional claims set forth in Intermark's Second Amended Complaint and provide opposing counsel with reports from such retained experts on or before November 30, 2004;

2. The parties shall designate and exchange rebuttal expert reports, if any, on or before December 30, 2004;

3. All discovery, including depositions of all witnesses, shall be completed by January 30, 2005; and

4. Any dispositive motions concerning the additional claims set forth in Intermark's Second Amended Complaint or other motions, except motions in limine incident to trial, shall be filed on or before February 28, 2005.

For Intermark Fabric Corporation

Charles O'Brien /by permission

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