UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THE GILLETTE COMPANY,
Plaintiff

CIVIL ACTION NO. 03-12455-DPW

v.

ENERGIZER HOLDINGS, INC., ET AL.,
Defendants

SCHEDULING ORDER

WOODLOCK, D.J.

This Order is intended primarily to aid and assist counsel in scheduling and planning the preparation and presentation of cases, thereby insuring the effective, speedy and fair disposition of cases, either by settlement or trial.

The above-entitled action having been heard on May 11, 2004, it is hereby ORDERED pursuant to Rule 16(b) of the Federal Rules of Civil Procedure and Local Rule 16.1(F), that:

(1) all trial experts are to be designated and disclosure of information contemplated by FRCP, Rule 26 provided by the plaintiff(s) no later than **APRIL 15, 2005**, and by the defendant(s) no later than **APRIL 15, 2005**;

(2) discovery is to be completed by **FEBRUARY 4, 2005**, unless shortened or enlarged by Order of this Court;

(3) **ELECTRONIC FILING**: All future submissions in this case are subject to electronic filing and all counsel who choose to appear must make arrangements to register for participation in electronic case filing, if they have not already done so. In addition to electronically filing any pleading, counsel shall also file all submissions relating to dispositive matters with the Court in hard copy, clearly marked **"Courtesy Copy - Do Not Scan**" on the cover page of each pleading/submission. Notices, orders and memoranda of the Court will only be filed and served electronically.

(4) A further scheduling/status conference is set for **APRIL 26, 2005 AT 2:30 P.M.** in Courtroom 1 on the 3rd floor before Hon. Douglas P. Woodlock, U.S.D.J. By **APRIL 22, 2005**, the parties shall file a STATUS REPORT indicating the current status of the case, including discovery proceedings, settlement discussions, pending or contemplated motions, proposed dates for pretrial conferences and for trial, and any other matters which should be addressed at the further conference. **The parties shall be prepared to address summary judgment or Markman hearing scheduling proposals**.

All provisions and deadlines contained in this order having been established with the participation of the parties to this case, any requests for modification must be presented to the judge or magistrate judge, if referred for case management proceedings. Any requests for extension will be granted only for good cause shown supported by affidavits, other evidentiary materials, or reference to pertinent portions of the record. The request shall be made by motion and shall contain the reasons for the request, a summary of the discovery which remains to be taken, and a date certain when the requesting party will complete the additional discovery, join other parties, amend the pleadings or file motions. The Court may then enter a final scheduling order, if necessary.

Counsel are encouraged to seek an early resolution of this matter. Additional case management conferences may be scheduled by the court or upon the request of counsel, if the Court can be of assistance in resolving preliminary issues or in settlement.

By the Court,

/s/ Rebecca Greenberg
Deputy Clerk

DATED: May 11, 2004