



GRANTED

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Transaction ID 62304128
Case No. 2018-0542-AGB



IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

JOHN SCHNATTER)
)
Plaintiff,)
)
v.)
)
PAPA JOHN’S INTERNATIONAL, INC.,)
)
Defendant.)

C.A. No. 2018-0542-AGB

**STIPULATION AND [PROPOSED] ORDER
GOVERNING CASE SCHEDULE**

WHEREAS, Plaintiff filed his Verified Complaint for Inspection of Books and Records on July 26, 2018; and

WHEREAS, the parties have discussed a schedule for the above-captioned action;

IT IS HEREBY STIPULATED AND AGREED, subject to the Order of the Court, that:

1. The following schedule shall govern proceedings in this action:
 - (a) Service of Answer to Complaint August 3, 2018
 - (b) Service of written discovery requests on parties August 6, 2018
 - (c) Service of written discovery responses and objections to requests for production of documents August 13, 2018

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| (d) | Service of written discovery responses and objections to interrogatories and requests for admission | August 20, 2018 |
| (e) | Parties substantially complete document production | August 24, 2018 |
| (f) | Exchange of privilege logs | August 29, 2018 |
| (g) | Parties complete depositions | September 13, 2018 |
| (h) | Plaintiff provides draft Pre-Trial Order | September 14, 2018 |
| (i) | Parties identify trial witnesses | September 17, 2018 |
| (j) | Defendant provides draft Pre-Trial Order | September 19, 2018 |
| (k) | Parties' Joint Submission of Pre-Trial Order | September 21, 2018
by 4:00 p.m. |
| (l) | Filing of simultaneous Pre-Trial Opening Briefs | September 24, 2018
by 4:00 p.m. |
| (m) | Pre-trial conference | September 26, 2018,
at 10:00 a.m. via
telephone to be
initiated by Plaintiff |
| (n) | One Day Trial | October 1, 2018, in
Wilmington,
Delaware,
commencing at
9:15 a.m. |

2. The parties agree to meet and confer promptly regarding arrangements for any discovery to be taken from the parties' agents and advisors.

3. Production of documents shall commence on a rolling basis upon receipt of requests for production.

4. Prior to production, the parties shall use their best efforts to de-duplicate any electronic material collected (including identical material transmitted between or among multiple custodians). All documents produced shall be produced in electronic form, in accordance with specifications agreed upon by the parties.

5. The parties shall work together to create a single set of trial exhibits without duplication and shall cite to the joint exhibits in their Pre-Trial Opening Briefs.

6. The parties shall not be required to list on their privilege logs documents evidencing communications only between or among counsel, including outside counsel and in-house counsel for the parties.

7. Depositions shall be taken on reasonable notice, and the parties shall work together in good faith on the scheduling of depositions.

8. Following the identification of trial witnesses in subparagraph 1(i), any party may designate additional party witnesses for trial only upon motion to the Court. If a party identifies a party witness for trial pursuant to subparagraph 1(i), and such individual has not previously been deposed in this action, such party shall make the witness available for deposition within a reasonable time before trial.

9. The parties may amend the dates set forth in subparagraphs 1(a)-(j) of this Order by written agreement, without Court approval. All other deadlines, the pre-trial conference date, and the trial date may be amended only by Order of the Court.

BAYARD, P.A.

RICHARDS, LAYTON & FINGER, P.A.

/s/ Peter B. Ladig

/s/ Blake Rohrbacher

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Dated: August 1, 2018

Chancellor

This document constitutes a ruling of the court and should be treated as such.

Court: DE Court of Chancery Civil Action

Judge: Andre G Bouchard

File & Serve

Transaction ID: 62297351

Current Date: Aug 03, 2018

Case Number: 2018-0542-AGB

Case Name: John Schnatter v. Papa John's International, Inc.

/s/ **Judge Bouchard, Andre G**