

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

KIMBERLY FARLEY, et al.,)
Plaintiff,)
v.) 1:22-CV-468
EYE CARE LEADERS HOLDINGS,)
LLC,)
Defendant.)
-----)

CHAD FORRESTER, et al.,)
Plaintiff,)
v.) 1:22-CV-503
EYE CARE LEADERS HOLDINGS,)
LLC,)
Defendant.)
-----)

KIMBERLY SANDVIG, et al.,)
Plaintiff,)
v.) 1:22-CV-502
EYE CARE LEADERS HOLDINGS,)
LLC,)
Defendant.)
-----)

JEANNE BYERS, et al.,)
Plaintiff,)
v.) 1:22-CV-607
ECL GROUP, LLC,)
Defendant.)
-----)

DETRINA SOLOMON, et al.,)
Plaintiff,)
v.) 1:22-CV-526
ECL GROUP, LLC,)
Defendant.)

ORDER

All pending motions to dismiss have been denied in all consolidated cases. The cases have been pending many months, and the defendants should be able to file answers within the usual time without extension. Fed. R. Civ. P. 12(a)(4)(A).

The cases are **REFERRED** to the Magistrate Judge for an initial pretrial conference in March, to cover all the usual matters plus discussion of timing for a consolidated class certification motion and appropriate procedures to ensure that duplicative motions are not filed when a consolidated motion is more efficient. *See Solomon v. ECL Group, LLC*, No. 22-CV-526, Doc. 31 at 11–12. To get the ball rolling and to facilitate a meaningful initial pretrial conference, no later than February 28, 2023, all parties **SHALL** provide their initial pretrial disclosures per Federal Rule of Civil Procedure 26(a)(1)(A).

If any party wants discovery on class certification issues, the following discovery is authorized to be served now and **SHALL** be served no later than March 1, 2023. The plaintiffs may now jointly serve on the defendants five interrogatories and five document requests tailored and directed to class certification issues. The defendants may jointly serve three interrogatories and three document requests on each individual plaintiff tailored and directed to their individual ability to serve as class representatives and to typicality, which the plaintiffs shall answer individually, and three additional interrogatories and document requests directed to the plaintiffs jointly on class certification requirements, which the plaintiffs shall answer jointly. Answers to the

discovery authorized in this Order **SHALL** be served no later than March 31, 2023, unless the Magistrate Judge authorizes a different date.

Further discovery on class certification can occur if authorized by the Magistrate Judge.

The deadline for the motion for class certification is June 1, 2023, subject to extension by the Magistrate Judge at the initial pretrial conference.


Discovery on the merits can begin after the initial pretrial conference, as usual, or earlier to the extent the parties agree.

The Magistrate Judge has full authority and discretion to modify this Order and set other appropriate deadlines after consultation with the parties, before or after the initial pretrial conference.

This Order **SHALL** be filed only on the docket of the lead case, Farley et al. v. Eye Care Leaders Holdings, LLC, No. 22-CV-468, per the Court's previous Orders. *See Farley v. Eye Care Leaders Holdings, LLC*, No. 22-CV-468, Doc. 34 at 3; *Solomon v. ECL Group, LLC*, No. 22-CV-526, Doc. 31 at 12–13.

SO ORDERED.

This the 3rd day of February, 2023.


UNITED STATES DISTRICT JUDGE