

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA**

WOOD MOUNTAIN FISH LLC,

Plaintiff,

v.

Mowi ASA (fka Marine Harvest ASA),
Marine Harvest USA, LLC, Marine Harvest
Canada, Inc., Ducktrap River of Maine LLC,
Grieg Seafood ASA, Grieg Seafood BC Ltd.,
Bremnes Seashore AS, Ocean Quality AS,
Ocean Quality North America Inc., Ocean
Quality USA Inc., Ocean Quality Premium
Brands, Inc., SalMar ASA, Leroy Seafood
Group ASA, Leroy Seafood USA Inc., and
Scottish Sea Farms Ltd.,

Defendants.

CASE NO. 1:19-cv-22128-RS

**PLAINTIFF'S RESPONSE TO JUDGE
UNGARO'S DIRECTIVE TO FILE A
JOINT SCHEDULING REPORT BY
JULY 5, 2019**

Plaintiff Wood Mountain Fish LLC respectfully submits its response to Judge Ungaro's directive to file a Joint Planning and Scheduling Report by July 5, 2019.

This antitrust class action was originally assigned to Judge Ungaro. By Order dated June 5, 2019, Judge Ungaro directed the parties to file a Joint Planning and Scheduling Report not later than July 5, 2019 in anticipation of an Initial Planning and Scheduling Conference to be held on July 19, 2019.

By Order dated June 20, 2019, Judge Ungaro reassigned this action to Judge Smith utilizing a random selection procedure. In doing so, the Order terminated "all currently pending hearings" set before Judge Ungaro (i.e. the July 19, 2019 Conference) but ordered that "all deadlines will remain in effect unless altered by District Judge Rodney Smith" (i.e. the Joint Scheduling Report).

Although an anomaly at best, producing the Joint Scheduling Report has proved impractical. The key reason is that while Plaintiff believes that several of the Defendants have been served with process, only two of the Defendants have recently appeared before the Court thereby making participation of all of the parties impracticable. In addition, because of the compressed number of work-days during the first week of July because of a lengthened Independence Day holiday, with many staff and attorneys taking advantage of the occasion to enjoy family vacation time, producing anything meaningful was unrealistic.

Plaintiff submits that re-scheduling a conference before this Court for later July or early August with a Scheduling Report due in a time period coincident with that Conference would result in a document that would provide greater participation.

Dated: July 3, 2019

**SHEPHERD, FINKLEMAN, MILLER &
SHAH, LLP**

/s/ Jayne A. Goldstein

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*Attorneys for Plaintiff,
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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of July 2019, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all CM/ECF participants.

/s/ Jayne A. Goldstein _____
Jayne A. Goldstein