

UNITED STATES OF AMERICA
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SECRETARY OF LABOR,)
)
Complainant,)
)
v.)
)
IMPERIAL SUGAR COMPANY;)
IMPERIAL-SAVANNAH, L.P.)
)
Respondents.)
_____)

Docket No. 08-1104

**JOINT PERIODIC DISCOVERY STATUS REPORT AND REQUEST FOR
TELEPHONIC CONFERENCE**

Pursuant to the Review Commission's February 10, 2009 Scheduling Order, the parties respectfully submit this periodic report on the progress of discovery. The parties are continuing to review and exchange documents and written discovery responses. The parties have taken several depositions of witnesses for Complainant and Respondents, and the parties are working on scheduling additional depositions. The parties are diligently pursuing fact discovery to meet the deadline set by the Commission.

The Parties respectfully request a conference regarding their joint request to amend the February 10, 2009 Scheduling Order related to the October 16, 2009 and October 30, 2009 deadlines for reports from experts and rebuttal experts. The Parties would like to discuss extending this deadline to December, to allow for fact discovery to end. The extensions would allow enough time for completion of expert discovery prior to the scheduled close of expert discovery on January 29, 2010. The Parties do not believe such a change will affect the hearing date of this matter nor any other discovery deadlines.

Respectfully submitted this 5th day of October, 2009.

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CERTIFICATE OF SERVICE

I certify that all parties have consented that all papers required to be served in this action may be served and filed electronically. I further certify that a copy of JOINT PERIODIC DISCOVERY STATUS REPORT AND REQUEST FOR CONFERENCE was electronically served on October 5, 2009 on the following counsel for Complainant:

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