

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 08-01916-MD-MARRA/JOHNSON

IN RE: CHIQUITA BRANDS  
INTERNATIONAL, INC. ALIEN  
TORT STATUTE AND SHAREHOLDER  
DERIVATIVE ACTION

\_\_\_\_\_/

This Document Relates to:

DERIVATIVE ACTIONS.

\_\_\_\_\_ /

**ORDER GRANTING JOINT MOTION FOR AN ORDER  
SETTING DISCOVERY AND BRIEFING SCHEDULE ON  
THE SPECIAL LITIGATION COMMITTEE'S MOTION TO DISMISS**

THIS CAUSE having come before the Court on the Joint Motion for an Order Setting Discovery and Briefing Schedule on The Special Litigation Committee's ("SLC") Motion to Dismiss (the "Joint Motion"). This Court having considered the Joint Motion and all other relevant factors, it is hereby ORDERED and ADJUDGED that:

The Joint Motion is GRANTED. The Parties shall adhere to the following schedule:

- a. Plaintiffs and the SLC shall serve discovery requests on or before March 31, 2009.
- b. Any responses or objections to, and/or productions of such discovery, shall be served on or before April 30, 2009.
- c. Any motions to compel discovery shall be filed and served no later than May 31, 2009 and shall be briefed and heard in accordance with the Local Rules of this Court.

- d. Plaintiffs shall file and serve their opposition to the SLC's motion to dismiss no later than 45 days after receiving discovery pursuant to paragraph b above, or, in the event there are any motions to compel discovery filed pursuant to paragraph c above, either: (a) 45 days after the Court denies the motion(s) to compel; or (b) 45 days after receiving discovery the Court compels.
- e. The SLC shall file and serve any reply to its motion to dismiss within 45 days after plaintiffs' opposition is filed and served.
- f. The Court shall set a hearing on the motion to dismiss at its convenience.

DONE AND ORDERED in Chambers at <sup>West Palm Beach</sup>~~Miami~~, Florida this 11 <sup>th</sup> day of

March, 2009.

  
KENNETH A. MARRA  
UNITED STATES DISTRICT JUDGE

Copies furnished to:  
All Counsel of Record