

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

NO. 08-01916-MD-MARRA/JOHNSON

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

This document relates to:

DOES 1-619 v. CHIQUITA BRANDS
INTERNATIONAL, INC.

No. 08-80480-CIV-MARRA/JOHNSON

ORDER


THIS CAUSE comes before the Court on Plaintiffs' Motion to Proceed with an Action Using Pseudonyms (DE 73). The motion is now fully briefed and is ripe for review. The Court has carefully considered the motion and is otherwise fully advised in the premises.

In its response, Defendant Chiquita Brands International, Inc. ("Defendant") represents that it "does not object to the entry of an order permitting plaintiffs to file their amended complaint without publicly disclosing their names." (Def. Resp. 2.) Defendant, however, believes it is premature to decide the issue of using pseudonyms beyond the pleading stage. The Court agrees. Plaintiffs may file their Complaint using pseudonyms, but the issue of whether Plaintiffs shall be permitted to proceed with their case using pseudonyms beyond the pleading stage shall be resolved after the resolution of Defendant's motion to dismiss.

Accordingly, it is **ORDERED AND ADJUDGED** that Plaintiffs' Motion to Proceed with an Action Using Pseudonyms (DE 73) is **GRANTED** insofar as it relates to the

commencement of this action. Should Plaintiffs want to proceed with their action using pseudonyms after resolution of the motion to dismiss, Plaintiffs may seek leave of the Court at that time to proceed for the remainder of the litigation using pseudonyms. *See Roe v. Aware Woman's Center for Choice, Inc.*, 253 F.3d 678 (11th Cir. 2001).

DONE AND ORDERED in Chambers at West Palm Beach, Palm Beach County, Florida, this 12th day of August, 2008.



KENNETH A. MARRA
United States District Court

Copies furnished to:
all counsel of record