

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

AMERICAN SOCIETY FOR TESTING AND
MATERIALS d/b/a/ ASTM INTERNATIONAL;

NATIONAL FIRE PROTECTION
ASSOCIATION, INC.; and

AMERICAN SOCIETY OF HEATING,
REFRIGERATING, AND AIR-CONDITIONING
ENGINEERS, INC.

Plaintiffs,

v.

PUBLIC.RESOURCE.ORG, INC.,

Defendant.

PUBLIC.RESOURCE.ORG, INC.,

Counterclaimant,

v.

AMERICAN SOCIETY FOR TESTING AND
MATERIALS d/b/a/ ASTM INTERNATIONAL;

NATIONAL FIRE PROTECTION
ASSOCIATION, INC.; and

AMERICAN SOCIETY OF HEATING,
REFRIGERATING, AND AIR-CONDITIONING
ENGINEERS, INC.

Counterdefendants.

Case No. 1:13-cv-01215-TSC-DAR

**JOINT STATUS REPORT IN
RESPONSE TO SCHEDULING
ORDER (DKT. 58)**

Filed: August 6, 2013

STATUS REPORT

Pursuant to the scheduling order at Docket 58, Plaintiffs American Society for Testing and Materials (“ASTM”), National Fire Protection Association, Inc. (“NFPA”), and American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc. (“ASHRAE”) and Defendant Public.Resource.Org, Inc. jointly submit this status report.

Counsel for Plaintiffs have authorized counsel for Defendant to file this without their signatures but with their express permission.

Public Resource’s Motion for Extension of Discovery Period, Corresponding Modification of Scheduling Order, and Leave to Take More Than 10 Depositions

On January 29, Public Resource filed a motion for extension of the discovery period, corresponding modification of scheduling order, and leave to take more than 10 depositions [Dkt. 71]. Plaintiffs have opposed Public Resource’s motion, proposing a different schedule [Dkt. 76], and Public Resource filed a reply [Dkt. 82]. The motion is now ready for the Court’s determination.

NFPA’s Motion to Amend Complaint

On February 3, NFPA filed a motion to amend the complaint to add a claim regarding the 2014 National Electric Code [Dkt. 74]. Public Resource opposed the motion on February 20 [Dkt. 79], and NFPA filed a reply on March 2 [Dkt. 84]. The motion is now ready for the Court’s determination.

Deposition Scheduling

On February 26 and 27, Plaintiffs took the 30(b)(6) deposition of Public Resource and Carl Malamud, respectively. The Rule 30(b)(6) deposition of an NFPA corporate representative will take place on March 3 in Boston. The deposition of an ASTM Rule 30(b)(6) representative will occur in Washington on March 4, and depositions of ASHRAE’s two 30(b)(6) representatives will occur in Atlanta on March 5 and March 12. Public Resource will also take

the deposition of non-party American National Standards Institute on March 13 in New York. The parties continue to disagree regarding the scheduling of additional depositions. The parties refer the Court to their briefing on Public Resource's motion for extension of the discovery period for further details about this dispute.

March 2, 2015

Respectfully submitted,

/s/Andrew P. Bridges
Andrew P. Bridges

Counsel for Defendant Public.Resource.Org

(with express permission of counsel for ASTM,
NFPA, and ASHRAE)