

**FOR THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RUDOLPH A. KARLO, MARK K. MCLURE,)	
WILLIAM S. CUNNINGHAM, JEFFREY)	Civil Action No. 10-1283
MARIETTI, DAVID MEIXELSBERGER,)	
BENJAMIN D. THOMPSON and RICHARD)	
CSUKAS, on behalf of themselves and all others)	
similarly situated,)	
)	Honorable Nora Barry Fischer
Plaintiffs,)	
)	
vs.)	
)	
PITTSBURGH GLASS WORKS, LLC,)	
)	<i>ELECTRONICALLY FILED</i>
Defendant.)	

JOINT STATUS REPORT REGARDING DISCOVERY ISSUES

The parties, by and through their undersigned counsel, hereby submit this Joint Status Report on Discover Issues and state that, after having met and conferred, the parties agree that the telephonic status conference scheduled for February 23, 2012, at 4:00 p.m. should proceed. The parties further wish to inform the Court that the issues to be addressed at the status conference are as follows, this statement is made solely to inform the Court of the issues and the parties reserve their rights to brief these issues after the status conference if the Court believes such briefing would be helpful:

1) *Discovery Requests Relating to an October 2011 Reduction-in-Force:* Plaintiffs have propounded interrogatories and document requests seeking information regarding a reduction-in-force that took place at PGW during October of 2011. Defendant has informed Plaintiffs that it objects to responding to these discovery requests because its position is that the facts relating to a 2011 reduction-in-force are irrelevant to the claims in this matter. The parties have met and conferred on the issue, and Plaintiffs have proposed limiting the scope of their

inquiry, but the parties have not been able to resolve their disagreement. Thus, the parties will seek the Court's guidance regarding whether Plaintiffs should be precluded from seeking information related to the 2011 RIF.

2) *Discovery Regarding PGW's CEO, James Wiggins*: Plaintiff has propounded an interrogatory requesting information regarding Mr. Wiggins' percentage ownership of companies other than PGW in which Kohlberg & Co.-related entities have an ownership interest. Additionally, the parties have discussed the fact that Plaintiffs intend to question Mr. Wiggins at deposition regarding his personal net worth. Separately, Plaintiff has propounded discovery requesting information about Mr. Wiggins' compensation, bonuses and ownership in PGW. The parties have met and conferred and Defendant has agreed to provide information regarding Mr. Wiggins' compensation, bonuses and ownership in PGW, but Defendant objects to providing information about Mr. Wiggins' ownership in other companies in which Kohlberg & Co.-related entities maintain an ownership interest, his financial situation, or answering questions at deposition regarding his personal net worth. Thus, the parties will seek the Court's guidance regarding whether Plaintiffs should be precluded from seeking information relating to Mr. Wiggins' ownership in other companies in which Kohlberg & Co.-related entities maintain an ownership interest or his personal net worth.

3) At Plaintiffs' request, the parties continue to discuss whether further mediation of this matter may be useful and whether Defendant has any objection to Mr. Jarrell serving as an expert in this matter. Plaintiffs propose that the Court mediate this case. Defendant's counsel will provide Defendant's position on these issues in a timely fashion after discussion with their client by no later than February 28, 2012.

Respectfully submitted,

/s/ Bruce C. Fox

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Respectfully submitted,

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Counsel for Defendant

Dated: February 17, 2012

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing has been served upon counsel of record by the Court's ECF system, this 11th day of January, 2012, addressed as follows:

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