

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF TEXAS
 WICHITA FALLS DIVISION

VICTORIA KLEIN, et al.,	§	
	§	
Plaintiffs,	§	
	§	Civil Action No. 7:03-CV-102-D
VS.	§	
	§	
O'NEAL, INC., d/b/a O'NEAL, JONES &	§	
FELDMAN PHARMACEUTICALS, et al.,	§	
	§	
Defendants.	§	

ORDER

Plaintiffs' March 15, 2006 motion to extend deadline for sending class action opt-out notice is granted, and the deadline specified in the court's October 31, 2005 order is modified so that the notice must be sent to all class members no later than July 13, 2006. Although the court recognizes the merits of some of defendants' concerns about an extension of this length, the record reflects that plaintiffs have had, and continue to encounter, difficulties obtaining names and current addresses of class members. By extending the deadline until July 13, 2006, the court can more reasonably predict that no additional extensions will be justified or granted.

In entering this order, the court restricts the parties' practice of setting out substantive arguments and requests in letters to the court. The court has thus far refrained from prohibiting the parties from the practice of submitting letters. First, this case was originally on the docket of another judge, who may have permitted letters. Second, some letters have been submitted as cover correspondence to courtesy copies of pleadings. Because this case is pending in the Wichita Falls Division, this practice may have resulted in time savings in bringing matters more promptly to the court's attention. Third, some matters, such as apprising the court of plaintiffs' progress in resolving disputes with hospitals, have been primarily informational in nature and helpful in the court's efforts

to monitor the progress of the case.

Having allowed the practice, however, the court now directs that no additional letters be submitted without leave of court when the letter attempts (1) to present substantive arguments or (2) to raise an issue that should be adjudicated by motion. Letters are not subject to the same briefing time limits and briefing rules as are motions, they are not subject to the same standard docketing procedures, they sometimes include personal complaints about opposing counsel or parties that the court simply is not interested in reading unless they raise matters serious enough to be presented by motion, and this court's usual practice is not to consider (or even read) them. This restriction takes effect immediately.

SO ORDERED.

April 10, 2006.



SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE