

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ROBERT WALKER,

Plaintiff,

v.

NAUTILUS, INC.,

Defendant.

Case No. 2:20-cv-3414

Judge Edmund A. Sargus, Jr.

Chief Magistrate Judge Elizabeth P. Deavers

**ORDER REQUIRING THIRD-PARTY RETAILERS OF NAUTILUS, INC.
TREADMILLS TO PRODUCE LIMITED CUSTOMER INFORMATION FOR THE
PURPOSE OF ASSISTING IN PROVIDING DIRECT NOTICE TO CLASS MEMBERS**

This matter comes before the Court on Plaintiffs' unopposed Motion for Preliminary Approval of Class Action Settlement and Request for an Order Requiring Third-Party Retailers of Nautilus, Inc. Treadmills to Produce Limited Customer Information for the Purpose of Assisting in Providing Direct Notice to Class Members. (ECF No. 39.) The Court has reviewed Plaintiff's request for an order requiring third-party retailers of Nautilus, Inc. Treadmills ("Third-Party Retailers") to produce customer contact information for the specific purpose of assisting in providing direct notice to Class Members of this Settlement. The Court finds that the Motion should be **GRANTED**.

Accordingly, the Court **ORDERS** as follows:

1. The Third-Party Retailers have in their possession, custody, and/or control client information that is essential for providing direct notice to potential Class Members under the Settlement in this Lawsuit.
2. The Third-Party Retailers must produce customer information in their possession, custody and/or control for those customers domiciled within the United States and its

territories who purchased a Bowflex, Nautilus, or Schwinn treadmill from July 7, 2016 through the date of this Order.

3. Many Third-Party Retailers possess and maintain this customer information in electronic form, so it generally is not overly burdensome to require the production of such customer information.
4. Under this Order, the limited customer information includes any names, mailing addresses, email addresses, the make and model of the treadmill purchased, and the date of purchase for the customers identified in paragraph 1, to the extent such information is available.
5. Any Third-Party Retailer failing to comply this Order without legal justification may be held in contempt of this Court.

11/16/2021
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE