

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

DEANNA L. CROWE,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:08cv550-MHT
)	(WO)
WAL-MART STORES, INC.,)	
a Delaware Corporation,)	
)	
Defendant.)	

ORDER

This litigation is before the court on two motions by plaintiff Deanna Crowe: for extension of time to file her response to summary judgment and to complete discovery (doc. no. 21); and for continuance of trial and all remaining deadlines (doc. no. 23).

Based on the representations made during an on-the-record conference call held on June 3, 2009, it is apparent, on one hand, that Crowe failed to engage in timely discovery so as to complete discovery within the time allowed by the uniform scheduling order (doc. no.

13), and that she also made her extension requests at the last minute, in violation of the provisions in the uniform scheduling order disallowing 'eleventh hour' requests. On the other hand, denying Crowe the opportunity to pursue this additional discovery could substantially impair her ability to reasonably pursue her claims. Therefore, having considered these factors, the court is of the opinion that the extensions should be allowed but only under certain conditions.

Accordingly, it is ORDERED that plaintiff Crowe's first motion, for extension of time to file her response to summary judgment and to complete discovery (doc. no. 21), and plaintiff Crowe's second motion, for continuance of trial and all remaining deadlines (doc. no. 23), are granted as follows, but only under the condition that, if plaintiff Crowe should prevail in this litigation, her fees and costs will each be reduced by 50 %:

(1) The motion for summary judgment (doc. No. 16) is reset for submission, without oral argument, on June 30, 2009, with any opposing brief and evidentiary materials due by said date.

(2) The uniform scheduling order (doc. No. 13) is modified in the following respects:

(A) The pretrial is reset for September 11, 2009, and the trial is reset for term of court beginning on October 13, 2009, with all deadlines expressly tied to these two dates adjusted accordingly.

(B) The deadline for completing discovery is extended to June 30, 2009.

(C) All other deadlines are unchanged.

DONE, this the 3rd day of June, 2009.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE