

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

THE FEDERAL DEPOSIT INSURANCE )  
CORPORATION, )  
 )  
Plaintiff, )

v. )

Civ. Action No. 2:13-cv-350-WHA  
(WO)

HARRY BROWN & CO., LLC; )  
STEWARDSHIP INVESTMENTS, LLC; )  
HARRY I. BROWN, JR.; and JOHN M. )  
BROWN, as personal representative of the )  
ESTATE OF HARRY I. BROWN, SR., )  
 )  
Defendants. )

HARRY BROWN & CO., LLC; )  
STEWARDSHIP INVESTMENTS, LLC; )  
HARRY I. BROWN, JR.; and JOHN M. )  
BROWN, as personal representative of the )  
ESTATE OF HARRY I. BROWN, SR., )  
 )  
Counterclaimants, )

v. )

THE FEDERAL DEPOSIT INSURANCE )  
CORPORATION, )  
 )  
Counterclaim- )  
Defendant. )

**ORDER**

This cause is before the court on a Motion for Reconsideration of Doc. #100. The Defendants want to have the trial of this cause remain on the March trial docket, and want it to be clear that they do not contend that the pending summary judgment motion has any impact on their agreement regarding their discovery dispute.

As it stands, although the parties have reached an agreement to resolve the discovery

dispute, if a discovery dispute remains on March 17, 2015, it will be resolved by the Magistrate Judge at that time. This court has managed its trial docket based on the date set for that resolution. The Defendants' characterization of their agreement regarding discovery does not change that determination. The trial setting will remain as set by Doc. #100.

The court notes that this case was set for trial on March 23, 2015 and pretrial conference on February 19, 2015, in its Uniform Scheduling Order (Doc. #32), entered on February 25, 2014. That same order set August 1, 2014 as the discovery deadline, which deadline was later extended to September 30, 2014 (Doc. #41). Discovery disputes have continued since that time and now, less than one week before the previously scheduled (now rescheduled) pretrial conference, the Defendants object to a trial postponement while showing that a great amount of written discovery is still due from the Plaintiff and seven depositions are still planned to be taken by the Defendants within 30 days from February 6, 2015.

The *Federal Rules of Civil Procedure*, Local Rules, and Orders of this court anticipate an orderly schedule of discovery, with deadlines to be enforced and motions to compel as a mechanism for enforcement, with the expectation that such motions to compel will be timely filed and promptly pursued to resolution. Therefore, in anticipation of the new pretrial and trial dates, and the discovery still to be completed, the court will also set a new deadline for completion of all discovery.

The request for a stipulation as to agreed-upon discovery, or other discovery-related matters, will be resolved by the Magistrate Judge.

The undersigned will resolve the remaining issues presented by the Motion for Summary Judgment based on the state of the evidence presented in the summary judgment record.

The Motion for Reconsideration is ORDERED DENIED.

It is further ORDERED that the deadline for completion of all discovery is EXTENDED  
to March 30, 2015.

DONE this 17th day of February, 2015.

/s/ W. Harold Albritton  
W. HAROLD ALBRITTON  
SENIOR UNITED STATES DISTRICT JUDGE