

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

DOUGLAS R. HEARD,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:16-cv-00856-WKW-GMB
)	[WO]
TOWN OF CAMP HILL, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Pending before the court is Plaintiff’s Motion for Extension of Time to Respond to Court’s Order, Document 51 (Doc. 52). For the reasons set forth below, it is ORDERED that the motion is GRANTED in part and DENIED in part.

The court’s Order of August 23, 2017 (Doc. 51) found that Plaintiff’s expert disclosures were materially deficient, but granted him until August 30, 2017 to (1) supplement all of his expert witness disclosures in compliance with Federal Rule of Civil Procedure 26(a)(2)(C); (2) supplement his medical expert witness disclosures in compliance with Federal Rule of Civil Procedure 26(a)(2)(B), or serve on the defendants affidavits setting forth sufficient information to determine whether the medical experts qualify as those from whom formal written reports are required; and (3) show cause as to why Jeffrey R. Fraser should not be excluded from testifying under Rule 37(c)(1) for Plaintiff’s noncompliance with the Uniform Scheduling Order. Plaintiff has responded to the show-cause portion of the Order (Doc. 53) and has not specifically requested an

extension of the deadline for supplementing his non-medical experts' disclosures or justified such an extension, but begs to be allowed until September 8, 2017 to submit affidavits or supplemental disclosures from his medical experts. *See* Doc. 52. The court concludes that the extension requested by Plaintiff is reasonable in light of his medical experts' unavailability as described in the motion, and that the extension will not prejudice the defendants if their corresponding disclosure deadline is extended. Doc. 52 at 2–3.

It is therefore ORDERED that Plaintiff's motion (Doc. 52) is GRANTED to the extent it seeks to extend Plaintiff's deadline for supplementing his medical expert disclosures consistent with the Court's Order of August 23, 2017 to **September 8, 2017**. To the extent it seeks other relief, Plaintiff's motion (Doc. 52) is DENIED in all other respects.

Due to the extension of Plaintiff's medical expert disclosure deadline, it is further ORDERED that the Uniform Scheduling Order (Doc. 25), as amended (Doc. 44), is modified as follows:

1. The defendants shall provide expert witness disclosures in accordance with Section 8 of the Uniform Scheduling Order on or before **October 6, 2017**;
2. All discovery shall be completed on or before **November 6, 2017**;
and
3. All dispositive motions shall be filed on or before **December 6, 2017**.

Plaintiff and his counsel are cautioned that the court will not entertain any additional request to extend these or other deadlines absent a showing of exceptional cause. Where, as here, the underlying circumstances justifying the extension have been

created by Plaintiff's counsel, any request will be denied summarily.

DONE on the 29th day of August, 2017.

A handwritten signature in black ink, appearing to read 'GB', is written above a horizontal line.

GRAY M. BORDEN

UNITED STATES MAGISTRATE JUDGE