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16 Attorneys for Defendants
17 *C. R. Bard, Inc. and*
Bard Peripheral Vascular, Inc.

18
19 UNITED STATES DISTRICT COURT
20 EASTERN DISTRICT OF CALIFORNIA

21 CHRISTOPHER CRONAN, et al.,

22 Plaintiffs,

23 v.

24 C. R. BARD INC., and
BARD PERIPHERAL VASCULAR, INC.,

25 Defendants.

Case No.: 2:15-cv-01418-DAD-BAM

**JOINT MOTION FOR EXTENSION
OF DEADLINES AND ORDER**

1 Pursuant to Rules 6(b) and 16(b)(4) of the Federal Rules of Civil Procedure, and Local Rule
2 144, Plaintiffs Christopher Cronan and Shannon Cronan-Castellanoes and Defendants C. R. Bard,
3 Inc. and Bard Peripheral Vascular, Inc. (collectively, “Bard”) (Plaintiffs and Bard are collectively
4 referred to herein as “the Parties”), respectfully submit this joint motion seeking a short 60-day
5 extension of the remaining deadlines in this case, for good cause shown, stating as follows:

6 1. On September 6, 2019, this case was remanded from the multidistrict litigation
7 known as the *In Re: Bard IVC Filters Products Liability Litigation*, MDL 2641. (*See* Doc. 9.)

8 2. On December 27, 2019, this Court issued a Scheduling Conference Order, which
9 set a fact discovery deadline of December 3, 2020. (*See* Doc. 33.)

10 3. The Parties have worked diligently to complete the discovery process consistent
11 with that schedule. To date, the Parties have exchanged initial disclosures; Plaintiffs have provided
12 a Plaintiff Fact Sheet and signed medical record release authorizations, which Defendants have
13 used to collect Plaintiffs’ medical records; Defendants have provided the Defense Fact Sheet and
14 a supplemental Defense Fact Sheet and production; Plaintiffs have propounded written discovery
15 and Bard has timely responded to that discovery; and Bard has taken depositions of the Plaintiffs.

16 4. Over the past few months, the Parties have also been in the process of scheduling
17 depositions of the physician who placed the Bard filter at issue and two other physicians involved
18 in Plaintiff-Decedent’s medical care. *See* Declaration of Shawtina F. Lewis, attached hereto as
19 Exhibit 1. Due to scheduling challenges related to COVID-19, however, the Parties have been
20 unable to secure deposition dates before December 3, 2020. Accordingly, the Parties jointly
21 request a short 60-day extension of the remaining deadlines set out in the Court’s Scheduling
22 Conference Order to complete discovery so that the remaining deadlines are as follows:

23

Deadline	Current	Proposed
Case-specific fact discovery closes	December 3, 2020	February 1, 2021
Plaintiffs shall produce case-specific expert reports.	January 5, 2021	March 5, 2021
Defendants shall produce case-specific expert reports.	February 2, 2021	April 2, 2021

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Deadline	Current	Proposed
Plaintiffs shall produce any case-specific rebuttal expert reports.	March 5, 2021	May 4, 2021
Deadline to depose Plaintiff's case-specific experts about their case-specific reports.	April 16, 2021	June 15, 2021
Deadline to depose Defendants' case-specific experts about their case-specific reports.	May 14, 2021	July 13, 2021
Deadline to file <i>Daubert</i> motions and other dispositive motions.	June 3, 2021	August 2, 2021

5. This is the first request for extension made in this case.

6. Accordingly, the Parties jointly move the Court to extend the remaining deadlines in this case as noted above.

DATED: November 17, 2020

Respectfully submitted,
NELSON MULLINS RILEY & SCARBOROUGH LLP

/s/ Shawtina F. Lewis
Shawtina F. Lewis
Attorney for Defendants
C. R. Bard, Inc. and Bard Peripheral Vascular, Inc.

DATED: November 17, 2020

Respectfully submitted,
MARTIN BAUGHMAN, PLLC

/s/ Laura J. Baughman (as authorized on 11/16/2020)
Laura J. Baughman
Attorney for Plaintiffs
Christopher Cronan and Shannon Cronan-Castellanoes

ORDER

The above JOINT MOTION FOR EXTENSION OF DEADLINES is granted for good cause shown. The new deadlines are:

Deadline	New Date
Case-specific fact discovery closes	February 1, 2021
Plaintiffs shall produce case-specific expert reports.	March 5, 2021
Defendants shall produce case-specific expert reports.	April 2, 2021
Plaintiffs shall produce any case-specific rebuttal expert reports.	May 4, 2021
Deadline to depose Plaintiff's case-specific experts about their case-specific reports.	June 15, 2021
Deadline to depose Defendants' case-specific experts about their case-specific reports.	July 13, 2021
Deadline to file <i>Daubert</i> motions and other dispositive motions.	August 2, 2021

The parties are cautioned that further modifications of the Scheduling Order will not be granted absent a demonstrated showing of good cause. Fed. R. Civ. P. 16(b). Good cause may consist of the inability to comply with court orders in light of the COVID-19 pandemic. Any such further difficulties should be explained.

IT IS SO ORDERED.

Dated: November 17, 2020

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE