

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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JOHN FLYNN, <i>et al.</i> ,	)
	)
	)
Plaintiffs,	)
	)
v.	) Case No. CV 03:0182
	) Judge: Royce C. Lamberth
MEDIO CONSTRUCTION CO., INC.,	)
	)
Defendant.	)
	)

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**CONSENT MOTION TO MODIFY SCHEDULING ORDER AND INCORPORATED  
MEMORANDUM IN SUPPORT THEREOF**

Plaintiffs, Trustees of the Bricklayers and Trowel Trades International Pension Fund ("Fund"), with the consent of the defendant, Medio Construction Co., Inc., by their attorneys, hereby move to modify the Scheduling Order in this matter as follows:

1. On October 31, 2003, the Court issued an Order in this matter setting the following deadlines: (a) November 25, 2003 for the completion of all discovery; (b) December 15, 2003 for dispositive motions; (c) January 16, 2004 for responses to dispositive motions; and (d) January 30, 2004 for replies to dispositive motions.

2. Subsequently, due to ongoing settlement discussions and the need to complete ongoing discovery efforts, the parties have agreed to extend the deadline for completion of discovery until January 15, 2004. The parties have not requested any previous extensions of time in this case.

3. No pretrial conference or trial date have been scheduled in this matter. Consequently, the extensions requested in this joint consent motion will not affect any other dates or deadlines that have been set by the Court.

4. For the foregoing reasons, plaintiffs, with the consent of the defendant, therefore move this Court for an order modifying the Scheduling Order in this case such that the deadlines for completion of all discovery and filing of all dispositive motions briefs shall be extended as follows:

- (a) Completion of all discovery – January 15, 2004
- (b) Filing of dispositive motions – February 27, 2004
- (c) Filing of oppositions to dispositive motions – March 26, 2004
- (d) Filing of replies in support of dispositive motions – April 22, 2004

Dated: November 21, 2003

Respectfully submitted,

By:   
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Defendant. )  
\_\_\_\_\_  
)

**ORDER**

Upon consideration of the Plaintiffs' Consent Motion to Modify the Scheduling Order and Incorporated Memorandum in Support Thereof, the Court finds that good cause has been shown for the granting of this motion.

**ACCORDINGLY**, it is hereby

**ORDERED**, that the Plaintiffs' Consent Motion be, and it hereby is, **GRANTED**, and further

**ORDERED**, that the Scheduling Order in this matter is modified as follows:

Discovery shall be completed by or on January 15, 2004; dispositive motions shall be due February 27, 2004; oppositions to dispositive motions shall be due March 26, 2004; and any replies in support of dispositive motions shall be due April 22, 2004.

**SO ORDERED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

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Royce C. Lamberth  
United States District Court Judge

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**LOCAL RULE 7.1(K) STATEMENT**

Pursuant to Local Rule 7.1(k), the following persons are entitled to be served with orders, judgments and stipulations:

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