

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION**

**KYLE BERMINGHAM,**

**Plaintiff,**

v.

**Case No: 5:12-cv-37-Oc-37PRL**

**CITY OF CLERMONT, FLORIDA**

**Defendants.**

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**ORDER**

This matter is before the Court on Defendant's unopposed motion to take the deposition of Plaintiff's substitute expert witness and request for continuance of remaining pretrial and trial deadlines. (Doc. 75).

The Court previously granted Plaintiff's emergency motion to substitute Chuck Drago in the place of his recently deceased expert witness. (Doc. 69). The Court provided that if, after reviewing Mr. Drago's report, Defendant determines that it needs additional time to depose him, Defendant may file a motion with the Court. Defendant has now filed such a motion and also requests a continuance of the remaining pretrial and trial deadlines. Defendant represents that Plaintiff has no objection.

Upon due consideration, Defendant's motion (Doc. 75) is **GRANTED**. Defendant is permitted to take the deposition of Chuck Drago. The remaining pretrial and trial deadlines will be re-set by separate order.

**DONE** and **ORDERED** in Ocala, Florida on August 30, 2013.



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PHILIP R. LAMMENS  
United States Magistrate Judge

Copies furnished to:

Counsel of Record  
Unrepresented Parties