

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
(at Lexington)

PATRICIA JONES,)	
)	
Plaintiff,)	Civil Action No. 5: 19-172-DCR
)	
V.)	
)	
JON LOWRY, et al.,)	MEMORANDUM ORDER
)	
Defendants.)	

*** **

The parties have filed a joint motion for an extension of the discovery period by sixty days. [Record No. 33] They assert that there is good cause under Federal Rule of Civil Procedure 16(b)(4) because Defendants Jon Lowry and the American National Red Cross have diligently requested records from Plaintiff Patricia Jones’ medical providers as the plaintiff has disclosed the identity of such individuals over the course of the discovery period. *Id.* After obtaining and reviewing many of these records, the defendants took Jones’ deposition on December 18, 2019. *Id.* at p. 2. Jones disclosed two additional medical providers during the deposition: her general practitioner and a surgeon she recently consulted in relation to injuries allegedly sustained and relating to this action. *Id.* at pp. 2-3.

The parties agree that these physicians’ records are particularly relevant to this case and that the defendants requested the records immediately after learning the doctors’ identities. *Id.* at p. 3. They do not believe that these professionals will disclose the information prior to the January 6, 2020, close of discovery and assert that an extension is necessary for further questioning of the plaintiff after the forthcoming disclosure. [*Id.*; Record No. 25] They also

agree that other Scheduling Order deadlines [Record Nos. 12 and 25] should be reset to accommodate an extension of the discovery period. [Record No. 33, p. 3]

With respect to the pending motion, the Court finds that the defendants have diligently pursued medical records as the plaintiff has disclosed the identities of relevant medical care providers. *See Dowling v. Cleveland Clinic Foundation*, 593 F.3d 472, 478 (6th Cir. 2010). Further, the parties have not demonstrated dilatory motives during the discovery process. Finally, the plaintiff has agreed to the requested extension

Based on the foregoing, the Court finds good cause for a brief extension of the discovery deadline. *See Fed. R. Civ. P. 16(b)(4)*. Accordingly, it is hereby

ORDERED as follows:

1. The parties' joint motion [Record No. 33] is **GRANTED**, in part.
2. The Scheduling Order [Record No. 12] and October 4, 2019 Memorandum

Opinion and Order [Record No. 25] are amended as follows:

- a. The deadline for completing discovery, previously set for January 6, 2020 [Record No. 25], is extended **thirty (30) days** through **February 5, 2020**.

- b. The deadline for all dispositive motions and Daubert motions, previously set for February 3, 2020 [Record No. 25], shall be extended to **March 5, 2020**.

3. All other dates and deadlines outlined in the Scheduling Order [Record No. 12] remain as set previously.

Dated: December 31, 2019.



A handwritten signature in black ink, appearing to read "Danny C. Reeves".

Danny C. Reeves, Chief Judge
United States District Court
Eastern District of Kentucky