

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Civil Action No. 07-CV-11807 RGS

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WAREHAM FREE LIBRARY, INC. and )  
PRISCILLA PORTER, MARY NYMAN, HAZEL TABER, )  
MICHELLE BAUM, SANDRA WHEELER, JOHN LANCI, )  
MARTHA MAGUIRE, YELENA FARIOLI-BEAUPRE, )  
and DIANE LAZARUS, Individually and As Trustees of )  
Wareham Free Library, Inc., )  
) )  
Plaintiffs / Defendants in Counterclaim / )  
Third Party Plaintiffs, )  
) )  
v. )  
) )  
THE TOWN OF WAREHAM, )  
) )  
Defendant / Plaintiff in Counterclaim, )  
) )  
and )  
) )  
BRENDA ECKSTROM, BRUCE SAUVAGEAU, JOHN )  
CRONAN, JAMES PORTER, and M. JANE DONAHUE, )  
Individually and As Members of The Board of Selectman )  
of Wareham, )  
) )  
Defendants, )  
) )  
v. )  
) )  
FRIENDS OF THE WAREHAM FREE LIBRARY, INC., and )  
WAREHAM LIBRARY FOUNDATION )  
) )  
Defendants in Counterclaim, )  
) )  
v. )  
) )  
MIIA PROPERTY AND CASULATY GROUP, INC. )  
) )  
Third Party Defendant. )

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## **JOINT MOTION TO EXTEND DISCOVERY PERIOD**

NOW COME ALL PARTIES to the action and jointly move, pursuant to Local Rule 26.2(B), that the deadlines for taking of fact depositions, completing and exchanging expert disclosures, and filing and serving motions for summary judgment each be extended by approximately three months, as described in more detail below.

This Honorable Court granted the parties' first request for an extension of approximately two months. Since the parties' first request, the parties have actively engaged in discovery and completed the depositions of Priscilla Porter, Sandra Wheeler, John Lanci, Diane Lazarus, Hazel Taber, Brenda Eckstrom and Bruce Sauvageau.

In support of this motion, the parties state that coordinating the schedules of the attorneys involved and the deponents, two of which have scheduled vacations during the discovery period (one being out of the country), has been challenging. All parties have worked cooperatively together to schedule the depositions, but despite all good faith efforts, depositions remain outstanding. The outstanding depositions are John Cronan, Jane Donahue, Nora Bicki, and three Rule 30(b)(6) depositions.

The parties have tailored their requests for extensions to a narrow time frame and are seeking an additional three months to complete the outstanding depositions. The parties request three months as Attorney Gallitano has a heavy trial schedule in April and May and his availability is extremely limited during that month. Additionally, one of the noticed deponents, Nora Bicki was out of the country and only just returned to the United States. In light of the schedule of the parties and their attorneys, the parties jointly request that the deadlines established by this Court's order of January 23, 2009 be enlarged as follows:

- Fact depositions completed by June 26, 2009;
- Expert disclosures must be completed and exchanged by July 31, 2009; and
- Any motion for summary judgment must be filed by October 2, 2009.

Respectfully submitted,

Plaintiffs/Defendants in Counterclaim  
Third Party Plaintiffs  
By their attorneys,

Plaintiff in Counterclaim  
The Town of Wareham  
By its attorneys,

/s/ Philip N. Beauregard  
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Defendants,  
Officially and Individually

Defendant in Counterclaim  
Friends of the Wareham Free Library, Inc.

By their attorneys,

By its attorney,

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Third Party Defendant  
MIA PROPERTY AND CASULATY GROUP, INC.  
By its attorney,

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Dated: April 13, 2009

CERTIFICATE OF SERVICE

I, Elizabeth R. Corbo, certify that the above document will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be served upon any party or counsel of record who is not a registered participant of the Court's ECF system upon notification by the Court of those individuals who will not be served electronically.

/s/ Elizabeth R. Corbo

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