

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

KIMBERLY MILLER and BRIAN  
MILLER,

Plaintiffs,

v.

TARGET CORPORATION,

Defendant.

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Civil Action No. 1:15-cv-10721-IT

ORDER

June 7, 2016

TALWANI, D.J.

Plaintiff's Motion to Extend Expert Disclosure Deadline and Allow the Deposition of Marissa Dennis Outside of the Discovery Deadline [#59] is ALLOWED IN PART and DENIED IN PART. Under the court's Revised Scheduling Order [#34], depositions of fact witnesses were to be completed no later than April 15, 2016; further cooperative written discovery was permitted, but otherwise, written discovery was closed; Plaintiffs' trial experts were due to be designated no later than May 16, 2016; and Defendant's trial experts were due to be designated no later than June 30, 2016. The parties failed to timely request any extension of this schedule, and instead, apparently extended depositions without leave of court. Because the court permitted Defendant to take the deposition of Rebecca Howard, see Order [#58], and allowed the medical examination of Plaintiff to proceed despite the close of fact discovery, see Electronic Order [#57], the court will likewise allow Plaintiff's motion to permit the deposition of Marissa Dennis to take place today as apparently agreed to by the parties. The court does not anticipate any further reopening of fact discovery. The parties shall jointly propose an amended schedule for

expert designations and disclosures that allow for completion of expert discovery by September 1, 2016.

IT IS SO ORDERED.

Date: June 7, 2016

/s/ Indira Talwani  
United States District Judge