

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ACCUSOFT CORPORATION,)
Plaintiff,)
)
v.)
)
QUEST DIAGNOSTICS, INC.,)
and MEDPLUS, INC.,)
Defendants.)
_____)

**CIVIL ACTION
NO. 12-cv-40007-TSH**

**ORDER
January 13, 2014**

Hennessy, M.J.

Pursuant to 28 U.S.C. § 636(b)(1)(A), and orders of referral (Dockets #278, 294), I make this Order following a January 10, 2014 hearing before me on Plaintiff’s Motion to Compel (Document #266), attended by both parties. In the several months that have passed since Plaintiff filed its motion, Defendants have served additional discovery, the parties have filed numerous pleadings at the Court’s direction, and the parties have attended two hearings -- all in an attempt to narrow and clarify the areas of dispute. The result of this effort is that Plaintiff’s motion is granted-in-part and denied-in-part, consistent with the Court’s oral orders during the January 10, 2014 hearing. With respect to those matters that the Court granted, Defendants shall, on or before January 24, 2014, file with the Court an affidavit, attested to by a corporate officer or agent, answering interrogatories or identifying specific, responsive documents.

At the January 10, 2014 hearing, after considering the motion to compel, the Court addressed outstanding discovery issues identified by Plaintiff in its Discovery Status Report (Document #306). Consistent with the discussion and oral orders made at today’s hearing, the following schedule shall be in effect:

02/28/14	Deadline for completion of fact discovery
03/28/14	Deadline to exchange expert reports on issues upon which the party bears the burden of proof
04/25/14	Deadline to exchange rebuttal reports
05/23/14	Deadline for completion of expert discovery
06/13/14	Deadline for filing dispositive motions

Conclusion

Accordingly, Plaintiff's Motion to Compel (Document #266) is **granted-in-part and denied-in-part** consistent with the oral orders at the January 10, 2014 hearing. Further, on or before January 24, 2014, Defendants shall file the aforementioned affidavit responsive to the motion to compel. Lastly, the Scheduling Order is amended as follows: fact discovery closes on 2/28/14; expert reports on issues upon which the party bears the burden of proof shall be exchanged by 3/28/14; rebuttal expert reports shall be exchanged by 4/25/14; expert discovery closes on 5/23/14; dispositive motions shall be filed by 6/13/14.

So ordered,

/s/ David H. Hennessy
David H. Hennessy
United States Magistrate Judge