## IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

ANAKA HUNTER,	)
Plaintiff,	)
vs.	) Case No: 4:12-CV-0004-ERW
CITY OF SALEM, MISSOURI, BOARD OF TRUSTEES, Salem Public	)
Library, and GLENDA WOFFORD,	) JURY TRIAL DEMANDED
Individually, and in her official capacity As Director of the Salem Public Library,	)
• *	)
Defendants.	)

## <u>MOTION FOR EXTENSION OF TIME</u> <u>FOR DEFENDANTS TO DISCLOSE EXPERTS AND REPORTS, AND TO FILE A</u> <u>DISPOSITIVE MOTION</u>

COME NOW Defendants Glenda Wofford and the Board of Trustees of the Salem Public Library, by and through their attorneys of record, Baird, Lighter, Millsap & Harpool, P.C., and move this Court to extend the time in which to disclose experts for the following reasons:

- 1. The deadline for dispositive motions in this case is February 25, 2012.
- 2. On November 7, 2012, Plaintiff was ordered to appear for deposition no later than November 30, 2012.
- 3. Despite requests for available dates, Defendants have yet to receive dates or take the deposition of Plaintiff, and therefore are unable to file a motion for summary judgment at this time.
- 4. In addition, Defendants have yet to receive responses to their discovery requests, which were due November 19, 2012, and are therefore unable to file a dispositive motion.

- 5. Plaintiff's deposition was properly noticed for November 2, 2012, and rescheduled at Plaintiff's request for November 1, 2012. On October 31, 2012, Plaintiff's counsel informed Defendants' counsel that Plaintiff would not appear for her deposition.
- 6. On November 5, 2012, this Court granted Plaintiff until November 19, 2012 to respond to Defendants' discovery requests, which have not been received.
- 7. Despite attempts to obtain available dates for deposition and other requests for responses to discovery, counsel has not received available dates or discovery responses from Plaintiff.
- 8. In addition, Defendants have been unable to disclose expert reports because the reports cannot be finalized until Plaintiff has been deposed and responded to discovery.
- 9. An extension will not impact the June 24, 2013 trial setting.

WHEREFORE, Defendants, pray this court to grant an extension of time to disclose their experts and reports until ten days after Plaintiff's deposition is taken and discovery responses are received, and an extension of time to file a dispositive motion until March 22, 2013.

Respectfully submitted,

BAIRD, LIGHTNER, MILLSAP & HARPOOL, P.C.

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## **CERTIFICATE OF SERVICE**

I hereby certify that on the 25<sup>th</sup> day of February, 2013, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which provided a copy of same to the below listed counsel of record:

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