

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MICHAEL J. POWERS, et al.,)
)
 Plaintiffs,)
)
 vs.) Case No. 4:16 CV 1299 RWS
)
CITY OF FERGUSON, et al.,)
)
 Defendants.)

MEMORANDUM AND ORDER

Having carefully considered plaintiffs’ motion to compel and defendant’s opposition, and for the same reasons stated in *Moore v. City of Ferguson*, 2016 WL 3141244, at *1 (E.D. Mo. June 6, 2016), the Court will grant the motion as follows: defendant City of Ferguson’s objections to the requests for admission contained in plaintiffs’ motion are overruled, and defendant is ordered to answer the requests within ten (10) days of the date of this Memorandum and Order. As noted by the Court in *Moore*, whether the DOJ report and its findings constitute admissible evidence is not at issue at this time or in this motion and will be decided if necessary as part of other pretrial matters.

It is also apparent that the parties need to extend discovery deadlines. Plaintiffs cannot reasonably expect the Court to grant discovery extensions without moving corresponding deadlines, including the trial date, and so to that extent, plaintiffs’ motion will be denied. I will, however, grant plaintiffs’ request to extend the

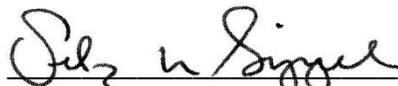
discovery cut-off deadline, but I will amend the case management order to extend the summary judgment and trial dates as well. By Monday, November 13, 2017, the parties shall file a joint proposed amended case management order which includes amended deadlines for the completion of discovery, dispositive motions, and a new trial date. I will then enter an amended case management order. This will permit the parties to mediate the case as currently scheduled.

Accordingly,

IT IS HEREBY ORDERED that plaintiffs' motion for extension of time [61] is granted in part and denied in part as set forth above.

IT IS FURTHER ORDERED that the parties shall file a joint proposed amended case management order in accordance with this Memorandum and Order by no later than **Monday, November 13, 2017**.

IT IS FURTHER ORDERED that plaintiffs' motion to compel [64] is granted only as follows: defendant City of Ferguson's objections to the requests for admission contained in plaintiffs' motion are overruled, and defendant is ordered to answer the requests within ten (10) days of the date of this Memorandum and Order.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 9th day of November, 2017.