

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

PAULA CRAWFORD,

Plaintiff,

vs.

Civil Action 2:10-CV-258  
Judge Smith  
Magistrate Judge King

JPMORGAN CHASE & CO.,

Defendants.

ORDER

Discovery in this action is currently set to close on August 31, 2011. *Order*, Doc. No. 31. Plaintiff's motion for a 60-day extension of that date was denied by the Court. *Opinion and Order*, Doc. No. 38. On August 22, 2011, the Court conferred, by telephone, with counsel regarding the status of discovery.

Plaintiff has scheduled one deposition to be completed prior to the close of discovery. She asks that the discovery completion date be extended by approximately 30 days to permit 3 additional depositions and requests for production of approximately 20-25 pages of documents. Defendant objects, again, to any additional extension of the discovery completion date in this action.

The Court recounted the procedural history of this action in its *Opinion and Order* of August 17, 2011, and that history will not be repeated here. Although the discovery completion date has previously

been extended, see *Order*, Doc. No. 31, and although plaintiff's most recent request to further extend that date has been denied, see *Opinion and Order*, Doc. No. 38, plaintiff now asks that she be permitted to conduct three additional depositions over the course of the next 30 days. Two of the proposed deponents reside in Texas and Arizona, respectively. Plaintiff did not identify the third proposed deponent, who is described merely as an employee of defendant's HR department. Defendant objects to the requested additional extension, arguing that plaintiff has not shown good cause for the extension and, further, that the grant of the requested extension will work to the prejudice of defendant, whose counsel's schedule is already burdened.

This Court agrees that, in requesting yet another extension, plaintiff has not met the standard of Fed. R. Civ. P. 16(b) for modification of a pretrial schedule. Moreover, by requesting that additional depositions - two of which would presumably be conducted in Texas and Arizona - be completed within 30 days would unreasonably prejudice defendant, which has demonstrated compliance with the Court's schedules. See *Leary v. Daeschner*, 349 F.3d 888, 906 (6<sup>th</sup> Cir. 2003). Under these circumstances, the Court will not authorize the requested additional 3 depositions.

However, the Court will permit plaintiff to propound additional discovery requests. Her counsel represents that the request will generate only 20-25 pages. Defendant will not, presumably, be unreasonably burdened by responding to that request and it appears to the Court that the dispositive motion filing deadline may be preserved notwithstanding an additional request for documents.

In sum, to the extent that plaintiff requests a 30 day extension

of the discovery completion date for the purpose of conducting three additional depositions, the request is **DENIED**. To the extent that plaintiff requests an extension of time to propound additional requests for production of documents, the request is **GRANTED**. Plaintiff may propound, no later than August 24, 2011, requests for production of documents.

August 22, 2011

s/Norah McCann King  
Norah M<sup>c</sup>Cann King  
United States Magistrate Judge

