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

DEBORAH DEAR,	:	
Plaintiff,	:	Case No. 3:16-cv-448
v.	:	JUDGE WALTER H. RICE
QUANTECH SERVS., INC. SHORT-TERM DISABILITY PLAN, *et al.*,	:	
Defendants.	:	

DECISION AND ENTRY OVERRULING DEFENDANTS QUANTECH SERVICES, INC. SHORT-TERM DISABILITY PLAN, QUANTECH SERVICES, INC. LONG-TERM DISABILITY PLAN AND UNITED OF OMAHA LIFE INSURANCE COMPANY'S MOTION FOR RECONSIDERATION OF THE ORDER ALLOWING PLAINTIFF TO CONDUCT DISCOVERY (DOC. #10); DEFENDANTS ARE DIRECTED TO RESPOND TO PLAINTIFF'S INTERROGATORIES, REQUESTS FOR ADMISSIONS AND REQUEST FOR PRODUCTION OF DOCUMENTS PROPOUNDED UPON DEFENDANTS WITHIN TEN DAYS OF THIS ENTRY

On July 14, 2017, this Court issued an Entry sustaining Plaintiff Deborah Dear's ("Plaintiff") request to conduct limited discovery outside of the administrative record, and ordered Defendants Quantech Services, Inc. Short-Term-Disability Plan, Quantech Services, Inc. Long-Term Disability Plan and United of Omaha Life Insurance Company (collectively "Defendants") to respond to Plaintiff's discovery requests within thirty days of the Entry. Doc. #9. On July 18, 2017, Defendants filed the instant Motion for Reconsideration of the Order Allowing Plaintiff to Conduct Discovery ("Motion"), arguing that Plaintiff had failed to comply with the Court's April 5, 2017, Scheduling Order, which required Plaintiff to file a motion seeking discovery outside the record no later than April

15, 2017. Doc. #10, PAGEID #1192 (citing Doc. #7, PAGEID #35). In their reply memorandum, Defendants state that, if the Court intended for its July 14, 2017, Entry "to supersede the previous [Scheduling] Order, Defendants will certainly abide by the decision and respond to Plaintiff's discovery requests." Doc. #12, PAGEID #1201-02. The Court, in issuing the July 14, 2017, Entry, did intend for it to supersede any conflicting dates in the Scheduling Order, and did not intend, via the Scheduling Order, to create any additional obligations for the parties.

Accordingly, the Court overrules Defendants' Motion, and directs Defendants to respond to Plaintiff's discovery requests within ten days of the present Entry.

August 31, 2017

WALTER H. RICE, JUDGE
UNITED STATES DISTRICT COURT