

**THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BONNIE FADER, et al.,

Plaintiffs,

v.

CYNTHIA WILEN,

Defendant.

**3:16-cv-1325
(JUDGE MARIANI)**

**FILED
SCRANTON**

MAY 30 2017

PER  **DEPUTY CLERK**

ORDER

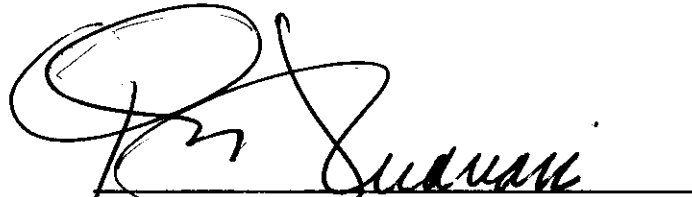
The background of this Order is as follows:

On May 25, 2017, Plaintiffs made this Court aware that the parties had been unable to schedule the deposition of Defendant, Cynthia Wilen, within the discovery period agreed to by the parties and set by this Court. (Doc. 25). Presently, fact discovery closed on May 29, 2017, and Defendant's deposition is scheduled for June 7, 2017. Consequently, Plaintiffs have moved for an order to compel Defendant to attend the deposition. Plaintiffs, however, have not given any indication that Defendant does not plan to attend the deposition. In an email exchange with Defendant, Plaintiffs also expressed that an extension of the discovery deadline would alleviate their concerns. (Doc. 25-5).

AND NOW, THIS 30th DAY OF MAY, 2017, upon consideration of the above, IT IS HEREBY ORDERED THAT:

1. All fact discovery shall be commenced in time to be completed by **June 9, 2017**.
2. Plaintiffs' motion to compel, (Doc. 25), is **DISMISSED AS MOOT**.

3. Should Defendant fail to attend the scheduled deposition, Plaintiffs may move for an order compelling Defendant's attendance and to extend the discovery deadline for that purpose.

A handwritten signature in black ink, appearing to read "R. Mariani", written over a horizontal line.

Robert D. Mariani
United States District Judge