

ORDER:
Motion granted.



U.S. Magistrate Judge

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

EMMA DEE REYNOLDS and THOMAS A. REYNOLDS, III,)	
)	Civil Action No.
Plaintiffs,)	3:09-CV-0594
)	
v.)	Judge:
)	Nixon
)	
MITZI M. BONNELL and OTTO J. SCHWARZ,)	Magistrate Judge:
)	Knowles
)	
Defendants.)	JURY DEMAND

PLAINTIFFS' MOTION FOR LEAVE TO FILE A SECOND SUPPLEMENTAL RESPONSE TO DEFENDANT SCHWARZ'S MOTION FOR SUMMARY JUDGMENT

Plaintiffs Emma D. Reynolds and Thomas A. Reynolds, III ("The Reynolds") respectfully move that they be granted leave of Court to file a Second Supplemental Response to Defendant Otto. J. Schwarz's Motion for Summary Judgment. (Doc. No. 9) In support of this motion the Reynolds state that Schwarz filed his motion prior to the completion of any discovery in this case and prior to the expert witness disclosure deadline. The Reynolds have now disclosed their accident reconstruction expert to Defendants, and this expert evidence further establishes that summary judgment should be denied. This expert witness information is further explained in the Declaration of Leighton E. Sissom, filed herewith.

Wherefore, the Reynolds respectfully move this Court for leave to file a Second Supplemental Response to the Schwarz Motion for Summary Judgment. The proposed supplement response is attached hereto as Exhibit 1 to this motion.¹

¹ Plaintiffs previously filed a Motion for Leave to File a first Supplemental Response. That motion (Doc. No. 22) however, has not been ruled upon by the Court. These supplemental responses are appropriate because they rely upon information that was not available to them when they filed their original response to the motion.