

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

TONYA D. DOTSON)	
)	
v.)	No. 3-10-1099
)	
WORKFORCE ESSENTIALS, INC;)	
and TENNESSEE DEPARTMENT)	
OF LABOR AND WORKFORCE)	
DEVELOPMENT)	

ORDER

Pursuant to the order entered April 17, 2012 (Docket Entry No. 63), a status conference was held on May 14, 2012, at which time the plaintiff and counsel for the defendants appeared and the following matters were addressed:

1. The plaintiff represented that she was proceeding pro se (without an attorney) for the time being but that she hoped to obtain new counsel in the near future. The deadlines provided herein shall apply whether or not the plaintiff has obtained new counsel.

2. Counsel for defendant Workforce Essentials, Inc. WITHDREW its pending motion to dismiss, without prejudice and with leave to renew if appropriate at a later date.

Therefore, the Clerk is directed to terminate the motion to dismiss (Docket Entry No. 67) as pending.

3. Defendant Workforce Essentials, Inc. shall promptly forward to the plaintiff another copy of the written discovery served upon her in October of 2011.¹

4. The plaintiff shall have until June 11, 2012, to serve responses to the defendant's written discovery. As the Court addressed on May 14, 2012, if the plaintiff has not obtained new counsel by that time and has questions about the discovery, she is encouraged to consult with defendant's counsel for any needed clarification.

¹ The plaintiff represented that her former attorney had the written discovery and her responses that she and her former attorney had drafted.

5. The plaintiff was advised that her failure to serve responses to the defendant's written discovery as provided herein could result in the dismissal of this case for her failure to respond and her failure to comply with this order.

6. As long as the plaintiff is not represented by an attorney, she is relieved of her obligation to serve initial disclosures in accord with Rule 26(a)(1) of the Federal Rules of Civil Procedure.

7. The plaintiff represented that, although she does not live at the address listed on the docket, members of her family live there and she regularly checks her mail and retrieves certified mail sent to that address. She explained that, during the period of time that defendant Workforce Essentials, Inc. had originally attempted to serve written discovery on her, her family might have been temporarily out of their home because of flooding issues. However, the plaintiff clearly requested that all further communications from the defendants and orders from the Court be sent to the address as listed on the docket.

In consultation with the Honorable Aleta Trauger and by order entered May 15, 2012 (Docket Entry No. 69), the jury trial, scheduled on March 5, 2013, is **RESCHEDULED to Tuesday, July 30, 2013, at 9:00 a.m.**, and the pretrial conference, scheduled on March 1, 2103, is **RESCHEDULED to Friday, July 26, 2013, at 1:30 p.m.** The parties expect that the trial will last 2-3 days.

As a result, the following scheduling deadlines are extended:

1. Any motions to amend the pleadings shall be filed by October 31, 2012.
2. The June 21, 2012, deadline for completion of written discovery and depositions of fact witnesses is extended to December 21, 2012. That means that all written discovery shall be served in sufficient time so that responses will be in hand by December 21, 2012.
3. The parties will not use any experts in this case unless, by December 21, 2012, any party files a notice of intent to use experts. In that event, deadlines for expert disclosures and discovery will be established.

In the event that any party will use an expert, such party shall comply with Local Rule 39.01(c)(6)(c) for any expert, including medical experts.

4. Any discovery motion shall be filed by December 31, 2012.

5. The October 22, 2012, deadline for filing any dispositive motion is extended to January 25, 2013. Any response shall be filed within 21 days of the filing of the motion or by February 15, 2013, if the motion is filed on January 25, 2013. Any reply, if necessary, shall be filed within 14 days of the filing of the response or by March 1, 2013, if the response is filed on February 15, 2013.

The Clerk is directed to mail a copy of this order to the plaintiff at the address listed on the docket by regular, first class mail and by certified mail.

It is so ORDERED.



JULIET GRIFFIN
United States Magistrate Judge