

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

JOSEPH F. MANSFIELD,	)	
	)	
Plaintiff	)	No. 3:13-0228
v.	)	Judge Campbell/Brown
	)	Jury Demand
THE HOME DEPOT U.S.A., INC.,	)	
	)	
Defendant	)	

**TO: THE HONORABLE TODD J. CAMPBELL**

**RECOMMENDATION**

A telephone conference was held with the parties at their request to discuss the scheduling order (Docket Entry 16). The Plaintiff has recently experienced pain in his neck and has been recommended for immediate surgery to see if the neck issues can be resolved. Because of low platelets the Plaintiff's scheduled neck surgery has been postponed from this Friday to a later date. The Plaintiff believes that his neck injuries are related to the shoulder injury that he alleges occurred at Home Depot. Because of this anticipated surgery the parties are unable to properly evaluate the Plaintiff's damage claim. At the present time this case is scheduled for trial on May 20, 2014 (Docket Entry 13).

The Magistrate Judge recommends that this case be rescheduled for trial after the first part of October 2014. If this recommendation is granted, the parties are directed to advise the Magistrate Judge as soon as the Plaintiff has his surgery so the Magistrate Judge may appropriately extend the pending discovery

deadlines to allow for the Plaintiff's recovery and the parties to determine to what extent, if any, the neck injuries are related to the shoulder injuries.

ENTER this 12<sup>th</sup> day of September, 2013.

/s/ Joe B. Brown  
JOE B. BROWN  
United States Magistrate Judge