

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

PATRICIA LIBERTY, as wife and)	
personal representative of)	
ANDREW LIBERTY, deceased,)	
)	
Plaintiff)	
)	No. 3:13-0369
v.)	Judge Sharp/Brown
)	Jury Demand
NASHVILLE SENIOR CAR, LLD)	
d/b/a MCKENDREE VILLAGE,)	
)	
Defendant)	

O R D E R

A telephone conference was held with the parties in this matter on March 17, 2014. As an initial matter, the parties are still working with expert discovery. Expert discovery may remain open until the close of all discovery on **June 27, 2014**. The Defendant has requested a number of medical records from the Plaintiff for use by their experts. They are providing the Plaintiff copies of the records they obtain from other providers and they have stated that their experts will consider the records they obtain.

If, based on expert depositions, the parties need to supplement a previous Rule 26 expert disclosure, they should do so promptly.

Given the nature of this case, expert witnesses are important and both sides should make full disclosure of the their experts' opinions. If any experts change their opinions through supplementation, the Magistrate Judge may be willing to allow

additional interrogatories or depositions of an expert solely on any changed opinion.

Plaintiff's counsel advised that he would like to file an amended complaint, which will be consistent with their expert testimony in this matter. Plaintiff may file a motion to amend the complaint, accompanied by the actual amended complaint, no later than **two weeks** after the Defendant has made their Rule 26 expert disclosures.

If the parties can agree on the amendment, they should simply file an agreed amended complaint.

The parties did point out that the scheduling order (Docket Entry 13) had an error in that it provided motions to amend to be filed on or before December 1, 2014. The order as should have provided December 1, 2013. Nevertheless, the Magistrate Judge will extend the deadline as set out above.

The Magistrate Judge briefly discussed with the parties the possibility of alternative dispute resolution (ADR). If the parties believe that ADR would assist them in this matter they should advise the Magistrate Judge and he will see if he can arrange a settlement conference with another Magistrate Judge.

It is so **ORDERED**.

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