

Following the entry of Judge Campbell's Order, the undersigned set a Case Management Conference for the purpose of amending the Initial Case Management Order. Docket No. 28. That Order directed the parties to confer on a Proposed Case Management Order to be submitted on or before April 18, 2014, and it further provided, "If the parties can agree on deadlines, counsel shall promptly contact the Court and the Case Management Conference will be CANCELLED." *Id.* (Underlining and caps in original).


The parties were unable to agree on a Case Management Order. Plaintiff took the position that Judge Campbell's Order granted "wide open" discovery on all issues in the lawsuit. Defendant took the position that Judge Campbell's Order restricted additional discovery to the ADA coverage issue, *i.e.* the number of employees Defendant had as discussed above.

The Court agrees with Defendant that Judge Campbell's Order should be interpreted to mean that the undersigned should set a schedule for the "additional discovery" with regard to the ADA coverage issue. Therefore, the Court sets the following schedule for discovery which is restricted initially to the ADA coverage issue.

Written discovery shall be served on or before May 22, 2014, and Responses thereto shall be served on or before June 22, 2014. The deadline for all discovery on this issue is August 22, 2014.

If Defendant wishes to refile its Summary Judgment Motion, it shall do so on or before September 7, 2014.

IT IS SO ORDERED.



E. Clifton Knowles
United States Magistrate Judge