

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

ADT SERVICES, AG, et al.,

Plaintiffs,

v.

Case No. 10-2197

THOMAS BRADY, et al.,

Defendants.

ORDER SETTING BRIEFING SCHEDULE

During a brief June 25, 2013, telephone conference with the court's staff,

- (1) Defendants stated that they will renew their motion for summary judgment and
- (2) Plaintiffs stated that they seek answers to interrogatories from Defendants, that they seek more information from an expert, and that they need this discovery before they can respond to a motion for summary judgment.

During a January 31, 2013, conference, the court, through the presently-assigned judge (the third judge to preside over the action), invited the parties to conduct about sixty days' additional discovery, but noted that he did not expect to see any additional discovery dispute; the action had had plenty of them, and the initial discovery deadline had long passed. By now discovery should be over. On the other hand, the record contains signs (perhaps valid; perhaps not) that, under a previous judge, Defendants impeded discovery repeatedly. (See Dkt. # 137.) Plaintiffs should therefore receive an opportunity, at least, to argue for a final acquisition of evidence.

This action has lingered too long. All concerned should move with vigor toward a resolution. The parties must promptly brief the discovery dispute. They must be prepared promptly to conduct and conclude discovery, if necessary, and promptly to address summary judgment. Accordingly,

IT IS ORDERED that Plaintiffs may by **July 22, 2013**, submit a motion to compel of no more than ten pages. Defendants may submit a response of no more than ten pages by **August 1, 2013**.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: July 10, 2013

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, July 10, 2013, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522