Lupole v. United States Of America et al Doc. 8

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

PATRICIA LUPOLE, Administrator of the Estate of Gary Lupole, deceased,	)	
Plaintiff,	)	
	)	Civil Action No. 7:17-cv-00355
v.	)	
	)	By: Elizabeth K. Dillon
UNITED STATES OF AMERICA, *et al.*,	)	United States District Judge
Defendants.	)	

MEMORANDUM OPINION AND ORDER

Plaintiff recently filed a motion asking the court to reconsider its August 22, 2018 memorandum opinion and order, which resulted in the claims against the United States being dismissed on statute-of-limitations grounds. In her motion to reconsider, plaintiff also included a request asking the court to stay pending deadlines in this case, including the deadline for plaintiff to identify rebuttal experts and the deadline for discovery. (Dkt. No. 82 at 2.) The court will await a response from the United States before ruling on the motion to reconsider. But the court DENIES WITHOUT PREJUDICE the request for a stay of deadlines, which the remaining defendant, Dr. Hines, has indicated he opposes. In the event that the court grants the motion to reconsider, an appropriate opportunity for additional discovery will be permitted.

The clerk is directed to transmit a copy of this order to all counsel of record, including counsel for the United States.

Entered: August 28, 2018.

/s/ Elizabeth K. Dillon
Elizabeth K. Dillon
United States District Judge

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