

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG

STEVE ALLEN EHRLICH, et al.,

Plaintiffs,

v.

CIVIL ACTION NO: 3:13-CV-23

3:13-CV-42

3:13-CV-43

(JUDGE GROH)

CROWN ENTERPRISES, INC., et al.,

Defendants.

**ORDER GRANTING IN PART AND DENYING IN PART JOINT MOTION TO EXTEND
TIME FOR DEFENDANTS' EXPERT DISCLOSURES AND OTHER DEADLINES**

On December 31, 2013, the parties filed a "Joint Motion to Extend Time for Defendants' Expert Disclosures and other Deadlines" [Doc. 102]. The parties state that they have exchanged voluminous written discovery, that two depositions of Defendants' 30(b)(6) representatives have been recorded, that Plaintiffs' depositions have been scheduled for the week of January 13, 2014, and that Plaintiffs provided expert disclosures on December 10, 2013. However, Defendants represent that, after a miscommunication, Plaintiffs Allen and Garcia did not show up at their Rule 35 examinations. Additionally, Defendants have to respond to seven expert reports within thirty (30) days. Therefore, the parties request a twenty day extension of the January 10, 2014 deadline, which is the examination/inspection deadline. Additionally, the parties submitted a proposed order seeking the extension of all remaining dates in the Amended Scheduling Order except the joint pretrial order, the pretrial conference, and the trial date.

Upon reviewing the parties' motion, the Court finds good cause to grant the motion in part. The Court finds an extension of time for the January 10, 2014 deadline for examinations/inspections and for discovery completion is warranted. Accordingly, the parties' deadline for examination/inspection is **January 30, 2014**, and the parties' deadline for discovery completion is **February 7, 2014**.

However, the Court denies the motion in part because it does not find good cause to extend any of the remaining deadlines. The Court notes that, on October 4, 2013, it previously granted an extension of deadlines and issued an amended scheduling order in this matter that provided the parties with additional time to disclose their experts. Further, this Court has a strong interest in maintaining its pretrial and trial dates. By altering the remaining deadlines, such as the deadlines for motions in limine or dispositive motions, the Court would necessarily have to grant an extension of the pretrial conference and trial dates in order to rule on the motions *prior* to the pretrial conference and trial. For example, if a dispositive motion is not filed until March 11, 2014, the parties' proposed deadline, the response and the reply deadlines would be after the trial in this matter. Therefore, the Court does not find good cause to extend the deadlines for dispositive motions; Federal Rule of Civil Procedure 26(a)(3) disclosures, jury instructions, voir dire, verdict forms, motions in limine, and objections thereto.

Accordingly, the Court **GRANTS IN PART** and **DENIES IN PART** the parties' "Joint Motion to Extend Time for Defendants' Expert Disclosures and Other Deadlines."

The Clerk is directed to transmit copies of this Order to all counsel of record herein.

It is so **ORDERED**.

DATED: January 7, 2014

A handwritten signature in blue ink, appearing to read "Gina M. Groh", written over a horizontal line.

GINA M. GROH
UNITED STATES DISTRICT JUDGE