

2020 WL 1697248

Only the Westlaw citation is currently available.
United States District Court, D. Kansas.

Mark ENSMINGER, on behalf of himself and those similarly situated, Plaintiff,

v.

CREDIT LAW CENTER, LLC, et al., Defendants.

Case No. 19-2147-JWL

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Signed 04/07/2020

Attorneys and Law Firms

Alan J. Stecklein, Matthew S. Robertson, Michael H. Rapp, Stecklein & Rapp Chartered, Kansas City, KS, Keith J. Keogh, Pro Hac Vice, Amy L. Wells, Pro Hac Vice, Keogh Law, Ltd., Chicago, IL, for Plaintiff.

Chad C. Beaver, Beaver Law Firm, LLC, Kansas City, MO, Jordan E. Wilkow, Pro Hac Vice, Timothy A. Hudson, Pro Hac Vice, Tabet DiVito & Rothstein, LLC, Chicago, IL, for Defendants.

AMENDED SCHEDULING ORDER

James P. O'Hara, U.S. Magistrate Judge

*1 Plaintiff has filed a motion (ECF No. 76) to amend the scheduling order filed on June 17, 2019 (ECF No. 26). The parties are briefing a discovery dispute that won't be ripe until April 24, 2020 (*see* ECF No. 73). They've also had to cancel the deposition of Paige White, a former employee of defendant Credit Law Center, LLC, due to the ongoing COVID-19 pandemic. Defendants do not oppose the proposed extensions, except the request to extend the discovery deadline broadly.¹ Plaintiff requests an additional 90 days of fact discovery, but defendants argue any further discovery should be limited to the "subject matter of the forthcoming motion to compel and the taking of Ms. White's deposition."²

¹ ECF No. 78.

² *Id.*

After reviewing the briefing, the court will grant plaintiff's request. Based on the scope of the disputed discovery, it seems reasonably likely the parties will have additional follow-up to conduct. To account for both the possibility of supplemental discovery and the uncertainty of rescheduling depositions during the pandemic, the scheduling order is amended as follows:

- a) All fact discovery must be commenced or served in time to be completed by **June 30, 2020**.
- b) Disclosures required by Fed. R. Civ. P. 26(a)(2), including reports from retained experts, must be served by plaintiff by **July 30, 2020**, and by defendant by **August 31, 2020**; disclosures and reports by any rebuttal experts must be served by **September 29, 2020**.
- c) Any motion for class certification must be filed by **November 30, 2020**.

All other provisions of the original scheduling order shall remain in effect. The schedule adopted in this amended scheduling order shall not be modified except by leave of court upon a showing of good cause.

IT IS SO ORDERED.

All Citations

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