

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

KIMBERLY A. HIVELY

Plaintiff,

v.

IVY TECH COMMUNITY COLLEGE,

Defendant.

CAUSE NO. 3:14-CV-1791-JD-MGG

**PLAINTIFF'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO SERVE
EXPERT REPORTS**

Pursuant to N.D. Ind. L.R. 6-1, Counsel for Plaintiff Kimberly Hively move for a two-week extension of the current deadline to serve expert reports by December 8, 2017, under Fed. R. Civ. P. 26(a)(2), set forth in the Scheduling Order, Dkt. No. 44. Defendant Ivy Tech Community College does not oppose the extension. Counsel for Ms. Hively seek the extension in response to Defendant's Automatic Initial 28-day Extension For Time to Respond to Plaintiff's Requests for Production and Interrogatories, Dkt. No. 45. Counsel for Ms. Hively move for a two-week extension to submit expert reports by December 22, 2017, so counsel may have sufficient time to review the discovery responses, and work with Plaintiff's retained expert to prepare an expert report.

On October 23, 2017, counsel for Ivy Tech filed a Notice of Automatic Initial 28-day Extension of Time for Defendant Ivy Tech Community College to Respond to Plaintiff's Request for Production. The original deadline for Ivy Tech's responses to the requests for production of documents was October 25, 2017, and the new deadline is November 22, 2017. The original deadline for Ivy Tech's responses to Interrogatories was November 6, 2017, and the new deadline

is December 4, 2017. Counsel for Ms. Hively agreed to these extensions, so long as Ms. Hively would have additional time to prepare and serve her expert report.

Counsel for Ms. Hively now seek a two-week extension of the current deadline, December 8, 2017, for Plaintiff to serve expert reports. The proposed deadline is December 22, 2017. With the extension, Plaintiff will have sufficient time to review Defendant's discovery responses and document production, and incorporate information provided therein into the expert report. Counsel for Ms. Hively have conferred with Defendant's counsel, and Defendant's counsel has agreed to this extension.

Additionally, a proposed order is attached as Exhibit A.

Accordingly, Plaintiff asks for a two-week extension of the deadlines to serve expert reports by December 22, 2017.

Date: October 24, 2017

Respectfully submitted,

FISH & RICHARDSON P.C.

/s/ Raisa Ahmad

Danielle J. Healey
healey@fr.com
TBA No. 09327980
SD Texas ID No. 35021
Karrie H. Wheatley
wheatley@fr.com
TBA No. 24098605
Raisa Ahmad
ahmad@fr.com
TBA No. 24101437
1221 McKinney Street, Suite 2800
Houston, Texas 77010
Telephone: 713-654-5300
Facsimile: 713-652-0109

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

I, Raisa Ahmad, counsel for Kimberly Hively conferred with counsel for Ivy Tech Community College on October 24, 2017. Counsel for Ivy Tech Community College have confirmed that they do not oppose this motion.

/s/ Raisa Ahmad

Raisa Ahmad

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document has been served this 24th day of October, 2017, by electronically filing the same with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to the following:

Jason T. Clagg

Email: jason.clagg@btlaw.com

Adam L. Bartrom

Email: adam.bartrom@btlaw.com

Telephone: (260) 423-9440

Facsimile: (260) 424-8316

BARNES & THORNBURG LLP

888 S. Harrison Street, Suite 600

Fort Wayne, IN 46802-2206

ATTORNEYS FOR DEFENDANT
IVY TECH COMMUNITY COLLEGE

/s/ Raisa Ahmad

Raisa Ahmad

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

KIMBERLY A. HIVELY

Plaintiff,

v.

IVY TECH COMMUNITY COLLEGE,

Defendant.

CAUSE NO. 3:14-CV-1791-JD-MGG

[PROPOSED] ORDER

On October 24, 2017, counsel for Plaintiff filed her Unopposed Motion to Modify the Scheduling Order. Through her motion, Plaintiff seeks extension of this Court's expert report deadlines due to Defendant's 28-day extension for time to respond to Plaintiff's Requests for Production and Interrogatories. Plaintiff notes that opposing counsel does not oppose the motion.

With good cause shown and no objection from Defendant, the Court now **GRANTS** Plaintiff's motion. The deadlines for the parties are **EXTENDED** as follows: Plaintiff shall file and serve any expert reports, under Fed. R. Civ. P. 26(a)(2), by **December 22, 2017**.

SO ORDERED.

Dated this _____ day of October 2017.

United States Magistrate Judge