

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 MOTION FOR PARTIAL EXTENSION
OF EXPERT REPORT DEADLINE**

Kimberly Hively, Plaintiff, moves for a partial extension of the expert report deadline to allow for additional time for her to submit a statement from a treating healthcare provider. Plaintiff will serve her damages expert report today, so she only moves for a partial extension of the expert deadline.

1. Plaintiff has alleged a claim for discrimination based on sex under Title VII. Plaintiff has pending a motion to amend to add a claim for retaliation. Among the damages and injuries she has suffered as a result of the discrimination are severe migraine headaches and other related symptoms from the stress of her ordeal. The headaches have caused Plaintiff enormous pain and caused her to miss an excessive amount of work, impairing her ability to maintain employment. Plaintiff has been treated by healthcare providers, including a physician who prescribed medication for her condition. The deadline for Plaintiff to serve expert reports is today, February 22, 2018.
2. Plaintiff's treating physician left her practice, arranged for Plaintiff to continue her care with another doctor, and Plaintiff has only recently been able to get new contact

information for this doctor. Plaintiff needs additional time to either obtain a statement from her treating physician or to be examined and treated by the new physician or otherwise deal with another healthcare provider.

3. Discovery does not end until May 9, 2018. Plaintiff has produced her medical records. In addition, Defendant has obtained employment records showing Plaintiff's excessive absences from a high school teaching job, which contract was not renewed due to her missed work. Plaintiff will serve her damages expert report today.

CONCLUSION AND PRAYER

Plaintiff asks for an additional thirty (30) days to provide a report from a healthcare provider on her physical injuries.

Date: February 22, 2018

Respectfully submitted,

/s/ Danielle J. Healey _____

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

I certify that I contacted Defense Counsel and that they oppose this motion.

/s/ Danielle J. Healey
Danielle J. Healey

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document has been served this 22nd day of February, 2018, 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:

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