

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS**

**U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,**

Plaintiff,

v.

RENT-A-CENTER EAST, INC.,

Defendant.

No. 16-CV-2222

Judge Colin Stirling Bruce

Magistrate Judge Eric I. Long

**DEFENDANT'S UNOPPOSED MOTION TO EXTEND DISPOSITIVE MOTIONS
DEADLINE AND FOR EXPEDITED ORDER ON SAME**

Pursuant to Central District of Illinois Local Rule 6.1 Defendant Rent-A-Center East, Inc. ("RAC") files this Motion to Extend Dispositive Motions Deadline and for Expedited Order on Same.

I.

The deadline for the submission of dispositive motions is June 7, 2017. [Doc. 15]. Although RAC informed the Court in the most recent telephonic status conference held on April 26, 2017 that it did not intend to file a motion for summary judgment, based upon recently obtained documents and testimony, it has reconsidered and now intends to file a motion for summary judgment of all claims. RAC seeks a short, one week extension of the existing deadline, to June 13, 2017. Due to recent developments in the discovery schedule, and the outcome of depositions that have been completed after the original discovery deadline in this case, good cause exists to modify the scheduling order in this case to the limited extent requested

by RAC.¹ RAC has conferred with Plaintiff regarding this extension, and Plaintiff does not oppose this request.

As set forth in RAC's Response to Plaintiff's Motion to Quash [Doc. 30] and the Court's Order denying that motion [Doc. 31], RAC sought a number of records from third-party witnesses that it believed to be relevant to Megan Kerr's credibility and the merits of the Plaintiff Equal Employment Opportunity Commission's claims. RAC has recently received documents responsive to these third-party subpoenas. In addition, the parties have scheduled a number of depositions which took place after the expiration of the original discovery deadline in this case, most recently on May 22 and 23, 2017. More depositions have been scheduled to take place in June. The testimony elicited in the depositions which occurred on May 22 and May 23, as well as the contents of some of the documents received in response to the subpoenas referenced above, have led to RAC concluding in good faith that a motion for summary judgment is merited, and that such a motion will assist in the Court's assessment of the merits of this case.

The discovery deadline, by agreement of the parties and approval of the Court, has been extended to June 30, 2017, and the Court has advised the parties that the trial of this case will not occur until October 2017 at the very earliest (and might be moved back). For these reasons, and because Plaintiff will not be prejudiced by this modest extension of the summary judgment deadline, particularly because discovery is ongoing, good cause exists to extend the dispositive motions deadline to correspond with the extended discovery deadline in this case. Accordingly, RAC respectfully requests an extension of the dispositive motions deadline to June 13, 2017. Further, in light of the limited period of time before the original dispositive motions deadline expires, and since under typical circumstances the responding party would have 14 days to file a

¹ Federal Rule of Civil Procedure 16(b)(4) requires that a party establish good cause in order to modify a court's scheduling order.

response before a motion of this nature would be considered by the Court, RAC seeks an expedited ruling on this issue.

Respectfully submitted,

/s/ J. Bradley Spalding

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Dated: June 6, 2017

CERTIFICATE OF CONFERENCE

Defendants' counsel Stephanie Quincy conferred with counsel for Plaintiff regarding this matter via telephone and e-mail. Counsel for Plaintiff has no opposition to this short extension.

/s/ J. Bradley Spalding

J. Bradley Spalding

CERTIFICATE OF SERVICE

I, **J. Bradley Spalding**, an attorney, certify that I served the attorney of record named below with a copy of this motion via ECF (*Electronic Case Filing*) on June 6, 2017:

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/s/ J. Bradley Spalding

J. Bradley Spalding

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ORDER

COMES NOW TO BE HEARD, Defendant's Unopposed Motion to Extend Dispositive Motions Deadline and for Expedited Order on Same. The Court, having read the briefing and considered the positions of the parties, ORDERS as follows:

Defendant's Unopposed Motion to Extend Dispositive Motions Deadline and for Expedited Order on Same is GRANTED. The Court further ORDERS that the dispositive motions deadline is extended to June 13, 2017.

UNITED STATES MAGISTRATE JUDGE

Signed this _____ day of _____, 2017.