

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Southern Division**

JENNIFER ELLER,

Plaintiff,

v.

PRINCE GEORGE'S COUNTY PUBLIC
SCHOOLS, et al.,

Defendants.

Case No. 18-cv-03649

CONSENT MOTION FOR EXTENSION OF TIME

Pursuant to Federal Rule of Civil Procedure 6(b)(1) and Local Rule 105.9, Plaintiff Jennifer Eller moves to extend the remaining discovery deadlines as outlined below in light of the difficulties the Parties have faced in completing discovery during the COVID-19 pandemic and to align the case calendar with the Court's Standing Orders concerning the same. As reasons therefor, Plaintiff avers as follows:

1. On March 16, 2020, Plaintiff, with Defendants' consent, moved to extend the remaining discovery deadlines "[i]n light of . . . governmental guidance to exercise social distancing, the inability of Plaintiff's counsel to ascertain the health of or risk of transmission posed by witnesses, reporters, and counsel, and in keeping with the spirit of the Court's Second Amended Standing Order 2020-03." ECF No. 60.

2. On March 16, 2020, the Court extended the remaining discovery deadlines, ECF No. 61, as follows:

April 13, 2020	Close of discovery; submission of status report
April 20, 2020	Requests for admissions
May 11, 2020	Notice of intent to file a dispositive pretrial motion

3. On March 20, 2020, in response to the COVID-19 pandemic, the Court issued Standing Order 2020-05 extending filing deadlines that were at that time “set to fall between March 16, 2020, and April 24, 2020 ... by forty-two (42) days.” Then, on April 10, 2020, the Court issued Standing Order 2020-07 amending the effect of its prior order, and extending “all filing deadlines, in all cases, originally set to fall between March 16, 2020, and June 5, 2020 ... by eighty-four (84) days.”

4. As a result, the deadline for the submission of the status report on discovery has been extended to July 6, 2020. The deadline for the filing of a notice of intent to file a dispositive pretrial motion has been extended to August 3, 2020. The deadline for the close of discovery and for the service of requests for admissions, however, remain unchanged since the Court’s March 16, 2020 order extending those deadlines.

5. Since March 16, 2020, and as a result of the “Stay-At-Home Orders” issued by the State of Maryland and the District of Columbia, the Parties have attempted to prepare for and conduct depositions via video-conference of the three remaining corporate representatives that Defendants designated as corporate representatives pursuant to Rule 30(b)(6), Robin Welsh, Cindy Gilday, and Laurie Tranmer.

6. Specifically, counsel for Plaintiff arranged for and tested the videoconference platform, and contacted counsel for Defendants on March 30, 2020 to schedule those remaining depositions. Counsel for Defendants have attempted to confirm the availability of the remaining Rule 30(b)(6)-designated witnesses, but had not been able to do so by April 9, 2020. Consequently, the Parties will be unable to complete the depositions of those witnesses by the current April 13, 2020 deadline.

7. The Parties believe that extending the two discovery deadlines unaffected by Standing Order 2020-07 by an additional 43 days will both provide them with sufficient time to complete discovery and better align those deadlines with the rest of the case calendar.

8. Plaintiff hereby requests that the Court order the deadline for the close of discovery, solely for the purpose of deposing Defendant PGCP's remaining Rule 30(b)(6)-designated witnesses (i.e., Robin Welsh, Cindy Gilday, and Laurie Tranmer), and the deadline for serving requests for admission, be extended as follows:

May 26, 2020	Close of discovery
June 2, 2020	Requests for admissions

9. Counsel for Defendants consents to the relief requested herein.

For the foregoing reasons, Plaintiff respectfully moves to extend these discovery deadlines.

Dated this 13th of April, 2020.

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CERTIFICATE OF SERVICE

The undersigned certifies under penalty of perjury under the laws of the United States of America and the laws of the State of Maryland that on April 13, 2020, I caused a true and correct copy of the foregoing document to be served via the Court's CM/ECF system on the following counsel of record for Defendants:

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