

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION
CIVIL ACTION NO. 3:19-CV-00851-BJB-CHL**

CHELSEY NELSON PHOTOGRAPHY LLC , et al., **Plaintiffs,**

v.

LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT , et al., **Defendants.**

ORDER

Before the Court is a document titled “Motion to Supplement Motion to Compel Discovery and Response to Defendants’ Motion for Protective Order” filed by Plaintiffs. (DN 78.) The motion provides a supplement to Plaintiffs’ motion to compel (DN 63) and to Plaintiff’s response to Defendants motion for protective order (DN 65). (*Id.*, at PageID # 1921-29.) Pursuant to the Court’s March 1, 2021 order, the Parties were granted leave to file motions pertaining to a number of Plaintiff’s requests for production and interrogatories. (DN 62, at PageID # 1448.) The order set deadlines for motions and responses and provided that “[n]o replies shall be permitted.” (*Id.*) The facts stated in the motion present a valid basis for Plaintiffs to supplement their briefing on their motion to compel and Defendants’ motion for a protective order. However, Plaintiffs failed to seek relief from the Court’s March 1 order to do so. Therefore, the Court will order Plaintiffs to file a motion for leave to supplement explaining why the Court should consider its supplement.

The motion also includes a request for leave to take an additional deposition of Defendant Louisville/Jefferson County Metro Government’s Rule 30(b)(6) witness to obtain further testimony limited to the documents at issue in its motion to compel. (*Id.*, PageID # at 1929-30.) Plaintiffs’ request is premature because it depends on a ruling on their motion to compel. The parties should confer about that after a ruling on the motion to compel, and to the extent that there

is any dispute about the additional deposition testimony, the Parties may request a telephonic status conference with the undersigned.

Accordingly,

IT IS HEREBY ORDERED as follows:

1. On or before **June 25, 2021**, Plaintiffs shall file a motion to supplement DN 63 and DN 65. Any response shall be filed on or before **July 2, 2021**. No replies shall be permitted.
2. Plaintiffs' request for leave to take additional Rule 30(b)(6) testimony is **DENIED without prejudice**.

A handwritten signature in black ink that reads "Colin Lindsay". The signature is written in a cursive style. Behind the signature is a faint circular seal of the United States District Court.

Colin H Lindsay, Magistrate Judge
United States District Court

June 15, 2021
cc: Counsel of record