

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION**

**CHELSEY NELSON PHOTOGRAPHY
LLC and CHELSEY NELSON,**

Plaintiffs,

v.

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

Defendants.

Case No. 3:19-cv-851-BJB-CHL

**DEFENDANTS' UNOPPOSED MOTION FOR
EXTENSION OF TIME TO COMPLY WITH DISCOVERY ORDER**

Defendants Louisville/Jefferson County Metro Government (“Louisville Metro”), Louisville Metro Human Relations Commission – Enforcement, Louisville Metro Human Relations Commission – Advocacy, Verná Goatley, in her official capacity as Executive Director of the HRC, Marie Dever, Kevin Delahanty, Charles Lanier, Sr., Leslie Faust, William Sutter, Ibrahim Syed, and Leonard Thomas, in their official capacities as members of HRC-Enforcement (collectively, “Defendants”), by counsel, hereby move for a thirty (30)-day extension of time to comply with that part of the Court’s Memorandum Opinion and Order dated August 25, 2021 (Doc. 89) which compelled Defendants to produce redacted case files by November 12, 2021 (the “Order”).

As grounds for this motion, Defendants state that despite their diligent efforts to timely comply with the Order, Defendants are not able to complete their production of redacted case files by the November 12, 2021 deadline set forth in the Order. Compliance with the Order required Defendants to retrieve approximately 100 boxes of documents from Louisville Metro’s archives

and also collect documents from files stored at the Louisville Metro Human Relations Commission office. Counsel for Defendants manually searched through these files to identify the case files required to be produced by the Order. This production set filled approximately seventeen (17) bankers boxes, which have been scanned to facilitate the redaction of personal identifying information as contemplated by the Order. Personal identifying information is reflected throughout the case files, requiring tedious and time-consuming redactions. A staff of several employees has been working on this project and additional employees are being reassigned from other projects to expedite compliance with the Order as much as reasonably possible.

Defendants will be making an initial production of case files to Plaintiffs Chelsey Nelson Photography LLC and Chelsey Nelson (collectively “Plaintiffs”) on November 12, 2021 and will make rolling productions of additional case files as the redactions are completed. Defendants predict they will be able to complete the redaction and production of case files they are required to produce on or before December 13, 2021 and therefore respectfully request a thirty (30)-day extension of time to comply with that part of the Order requiring the production of redacted case files by November 12, 2021. Defendants have already timely complied with other aspects of the Order.

Counsel for Defendants conferred with counsel for Plaintiffs regarding the relief sought by this motion, and Plaintiffs’ counsel advised that they would not oppose the motion. A proposed order has been tendered with this motion.

Respectfully submitted,

/s/ Casey L. Hinkle

David S. Kaplan
Casey L. Hinkle
KAPLAN JOHNSON ABATE & BIRD LLP
710 W. Main Street, 4th Floor

Louisville, KY 40202
(502)-416-1630
dkaplan@kaplanjohnsonlaw.com
chinkle@kaplanjohnsonlaw.com

MIKE O'CONNELL
JEFFERSON COUNTY ATTORNEY

John F. Carroll
Jason D. Fowler
Assistant Jefferson County Attorneys
200 S. 5th Street, Suite 300 N
Louisville, Kentucky 40202
(502) 574-6321
john.carroll2@louisvilleky.gov
jason.fowler@louisvilleky.gov

Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2021, the foregoing was filed via the Court's electronic filing system, which will automatically send notice of such filing to all counsel of record.

/s/ Casey L. Hinkle
Counsel for Defendants

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION

CHELSEY NELSON PHOTOGRAPHY
LLC and CHELSEY NELSON,

Plaintiffs,

v.

LOUISVILLE/JEFFERSON COUNTY
METRO GOVERNMENT, et al.,

Defendants.

Case No. 3:19-cv-851-BJB-CHL

**[PROPOSED] ORDER GRANTING DEFENDANTS’
MOTION FOR EXTENSION OF TIME TO COMPLY WITH DISCOVERY ORDER**

Defendants have filed a motion requesting a thirty (30)-day extension of time to comply with that part of the Court’s Memorandum Opinion and Order dated August 25, 2021 (Doc. 89) which compelled Defendants to produce redacted case files by November 12, 2021. Having heard the arguments of the parties and being otherwise duly advised, it is hereby ORDERED that Defendants’ motion is GRANTED. Defendants shall have up to and including December 13, 2021 to complete production of the redacted case files required to be produced by the Court’s Memorandum Opinion and Order dated August 25, 2021 (Doc. 89).

Tendered by:

/s/ Casey L. Hinkle

David S. Kaplan
Casey L. Hinkle
KAPLAN JOHNSON ABATE & BIRD LLP
710 W. Main Street, 4th Floor
Louisville, KY 40202
(502)-416-1630
dkaplan@kaplanjohnsonlaw.com
chinkle@kaplanjohnsonlaw.com

MIKE O'CONNELL
JEFFERSON COUNTY ATTORNEY

John F. Carroll
Jason D. Fowler
Assistant Jefferson County Attorneys
200 S. 5th Street, Suite 300 N
Louisville, Kentucky 40202
(502) 574-6321
john.carroll2@louisvilleky.gov
jason.fowler@louisvilleky.gov

Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2021, the foregoing was filed via the Court's electronic filing system, which will automatically send notice of such filing to all counsel of record.

/s/ Casey L. Hinkle

Counsel for Defendants