

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

CHRISTOPHER FAIN,
SHAWN ANDERSON,
 a/k/a Shauntae Anderson; and
LEANNE JAMES,
individually and on behalf of all others similarly situated,

Plaintiffs,

v.

CIVIL ACTION NO. 3:20-0740

WILLIAM CROUCH, in his official capacity as
Cabinet Secretary of the West Virginia
Department of Health and Human Resources;
CYNTHIA BEANE, in her official capacity as
Commissioner for the West Virginia Bureau for
Medical Services; WEST VIRGINIA DEPARTMENT
OF HEALTH AND HUMAN RESOURCES,
BUREAU FOR MEDICAL SERVICES; and JASON
HAUGHT, in his official capacity as Interim Director of the
West Virginia Public Employees Insurance Agency,

Defendants.

ORDER

Pending before the Court is Defendants' Joint Motion to Extend Defendants' Expert Witness Deadline to February 21, 2022. ECF No. 199. Defendants filed this Motion without notice to the Court on February 15, 2022—Defendants' disclosure deadline. *See Scheduling Order*, ECF No. 75. Defendants asserted that their expert's clinical schedule precluded them from timely completing the disclosure.

While Plaintiffs assert that Defendants do not offer good cause to warrant an extension, they raise concern with how an extension would affect their ability to review and prepare a rebuttal report. *See Pls.' Br. in Opp'n*, ECF No. 203.

In Defendants' Motion, Defendants explain that they originally asked Plaintiffs for just a few days extension of their deadline. Accordingly, the Court will **GRANT** Defendants' Motion for an Extension of Defendants' Expert Witness Deadline to tomorrow, Friday February 18, 2022. ECF No. 199. The Court will commensurately extend Plaintiffs' rebuttal deadline to Friday, March 18, 2022.

The Clerk is **DIRECTED** to send a copy of this Order to counsel of record and any unrepresented parties.

ENTER: February 17, 2022

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE