

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

L.E., by his next friends and
parents, SHELLEY ESQUIVEL
and MARIO ESQUIVEL,

Plaintiff,

v.

BILL LEE, in his official capacity
as Governor of Tennessee, *et al.*,

Defendants.

Case No. 3:21-cv-00835

Judge Crenshaw
Magistrate Judge Newbern

JOINT MOTION TO EXTEND FACT DISCOVERY DEADLINES

Plaintiff L.E., by his next friends and parents, Shelley Esquivel and Mario Esquivel, by and through his undersigned counsel, hereby files this joint motion to extend the current fact discovery deadlines, respectfully showing this Court as follows:

1. This remaining deadlines in this Court's current case management order (ECF No. 22) are as follows:

- a. **May 20, 2022:** First joint case resolution status report deadline
- b. **May 25, 2022:** Defendants' expert disclosure deadline.
- c. **May 31, 2022:** Deadline to serve all written discovery.
- d. **June 7, 2022:** Telephonic case management conference at 10:00 a.m.
- e. **June 30, 2022:** Deadline to complete all written discovery and depose all fact witnesses.
- f. **July 5, 2022:** Plaintiff's rebuttal expert disclosure deadline.

- g. **July 8, 2022:** Deadline for all motions related to fact discovery.
- h. **August 8, 2022:** Second joint case resolution status report deadline.
- i. **August 10, 2022:** Deadline to depose all expert witnesses.
- j. **October 7, 2022:** Deadline to file dispositive motions.

2. While all parties have diligently pursued discovery in accordance with this Court's current case management order, all parties require additional time to respond to outstanding written discovery requests, serve additional and supplemental written discovery requests, and schedule and complete fact witness depositions. Accordingly, the parties request that the deadline to serve written discovery requests be extended from **May 31, 2022** to **June 28, 2022**; the deadline to complete all written discovery and depose all fact witnesses be extended from **June 30, 2022** to **August 10, 2022**; and the deadline for all motions related to fact discovery be extended from **July 8, 2022** to **August 18, 2022**.

3. The parties are not requesting any other extension or modification of any other deadlines in this Court's current case management order.

4. Plaintiff's counsel conferred with Defendants' counsel and Defendants' counsel consented to this joint motion to extend the current fact discovery deadlines.

5. The requested extension of the fact discovery deadlines conforms with the requirements of L.R. 16.01(d)(2)(f). No dispositive motion, including response and replies, will be filed later than 90 days in advance of the target trial date.

6. Neither Plaintiff nor Defendants have previously requested an extension of the fact discovery deadlines in this matter. The parties' joint request for an extension of the current fact discovery deadlines is made in good faith and not for purposes of delay.

Accordingly, for the reasons stated herein, Plaintiff respectfully requests that the Court enter an order granting his joint motion to extend the current fact discovery deadlines.

Respectfully submitted this 24th day of May 2022.

/s/ Stella Yarbrough
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***Attorney for Governor Lee, Commissioner
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members of the Tennessee State Board of
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***Attorney for Knox County Board of
Education and Robert M. "Bob" Thomas***

CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2022, a true and correct copy of the foregoing Joint Motion to Extend Fact Discovery Deadlines was served on counsel for all Defendants via the Court's ECF/CM system.

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/s/ Stella Yarbrough
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