

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

JANE DOE et al.,

Plaintiffs,

v.

JOSEPH A. LADAPO et al.,

Defendants.

Civil No. 4:23-cv-00114-RH-MAF

**AGREED MOTION AND PROPOSED ORDER FOR LEAVE TO AMEND
CASE SCHEDULE**

Pursuant to Fed. R. Civ. P. 16(b)(4), Local Civil Rule 6.1 and other applicable law, Plaintiffs hereby move, after consultation and with the consent of the Defendants, for entry of the Proposed Order, attached hereto as Exhibit A, amending the schedule set forth in the parties' Rule 26(f) report (ECF No. 113), the Scheduling Order (ECF No. 117) and the Order for Pretrial Conference (ECF No. 150).

This Motion requests a modification of the schedule due to the recent Eleventh Circuit decision in *Eknes-Tucker v. Governor of the State of Alabama*, No. 22-11707, dated August 21, 2023, as counsel required time to assess the implications of this decision and the extent to which it impacts the present action. In addition, the extension accommodates additional time for the completion of expert depositions

given constraints beyond the parties' control on the availability of some experts for deposition.

The parties have discussed and agreed to the following amendments to the case schedule, which shifts each of the deadlines by approximately two weeks and the trial date by one week:

Deadline or Event	Current Schedule	Proposed Amended Schedule
Deadline for completing expert discovery.	September 18, 2023	October 2, 2023
Deadline for pretrial disclosures (including exhibit and witness lists).	September 22, 2023	October 12, 2023
Deadline for filing <i>Daubert</i> motions for any new (non- <i>Dekker</i>) experts.	September 25, 2023	October 16, 2023
Attorney conference to address pretrial matters	October 2, 2023	October 16, 2023
Deadline for responses to dispositive or <i>Daubert</i> motions.	October 10, 2023	October 30, 2023
Deadline for motions <i>in limine</i> regarding any new (non- <i>Dekker</i>) evidence.	October 10, 2023	October 26, 2023
Deadline for responses to motions <i>in limine</i> .	October 16, 2023	November 2, 2023
Deadline for filing the joint final pretrial statement/order.	October 23, 2023	November 6, 2023

Deadline for trial briefs.	October 23, 2023	November 6, 2023
Date of final pretrial conference.	First available date on or after October 25, 2023	First available date on or after November 6, 2023
Trial term begins	November 13, 2023	November 20, 2023
Estimated length of trial	2 days	2 days
Jury/Non-Jury	Non-Jury	Non-Jury
Mediation	None proposed	None proposed
Consent to proceed before a magistrate judge	No	No

The parties have also agreed to take the deposition of one of Defendants' experts, Dr. Sven Roman, on October 9, 2023 by Zoom. Dr. Roman lives in Europe and has limited availability prior to that date.

Plaintiffs respectfully submit there is good cause for the limited extension of the pretrial schedule set forth herein. Defendants do not oppose the relief sought herein. The parties can also make themselves available for a conference with the Court to discuss scheduling at the Court's convenience.

For the foregoing reasons, the Motion should be granted.

Respectfully submitted this 21st day of September, 2023.

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CERTIFICATE OF SERVICE

I hereby certify that, on September 21, 2023, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system.

/s/ Thomas E. Redburn, Jr.
Thomas E. Redburn, Jr.
Counsel for Plaintiffs

EXHIBIT A

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**[PROPOSED] ORDER GRANTING MOTION FOR LEAVE TO AMEND
CASE SCHEDULE**

THIS MATTER comes before the Court by the Motion for Leave to Amend Case Schedule.

IT IS on this _____ day of _____, 2023,

ORDERED that:

The Motion for Leave to Amend Case Schedule is **GRANTED**.

SO ORDERED.
