

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

BRUCE LEICHTY,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 19-1064-JWB-KGG
)	
BETHEL COLLEGE,)	
)	
Defendant.)	
_____)	

**MEMORANDUM & ORDER ON
MOTION TO MODIFY SCHEDULING ORDER**

NOW BEFORE THE COURT is Plaintiff’s “Motion for Modification of Scheduling Order and Resetting of Discovery Cutoff and Related Deadlines or Dates; and for Leave to Take Additional Depositions; and for Related Relief.” (Doc. 129.) After review of the parties’ submissions, the Court **GRANTS in part** and **DENIES in part** Plaintiff’s motion.

The Magistrate Judge is strongly of the opinion that the parties have had adequate time to complete discovery. Additionally, the Court has a duty to limit discovery to that which is proportional to the needs of the case.

This is a relatively simple matter factually, in which Plaintiff claims that Defendant breached a contract by excluding Plaintiff from a conference hosted by

the Defendant for which Plaintiff had registered, and for Defendant's alleged role in a claimed false arrest arising from the exclusion. (Doc. 108.) Plaintiff has taken numerous depositions and received hundreds of pages of discovery. However, the Plaintiff requests for some limited additional discovery.

The Court's recent ruling, issued on March 23, limited two pending depositions to being taken remotely (Doc. 135) and those depositions remain pending. Additionally, the death of a material witness, and some evidence concerning a post-incident discussion at a board meeting, might justify some modest additional discovery, although the Court is doubtful about justification for the latter.

Out of an abundance of caution, the Court will **extend the discovery deadline** from March 26, 2021 to **June 28, 2021**, for the limited purpose of completing the two depositions which were the subject of the Protective Order, and to take **up to four (4) additional depositions** of Plaintiff's choosing (within the proper scope of discovery under Fed.R.Civ.P. 26) which may not exceed three hours in length and which, pursuant to the previous Order, must be taken remotely. No additional written discovery is authorized. The **Pretrial Conference is re-set for July 15, 2021 at 3:00 P.M.**, and the parties' **draft Pretrial Order is due by July 8, 2021**. The deadline to file **dispositive motions is reset for August 6, 2021**.

IT IS THEREFORE ORDERED that Plaintiff's Motion (Doc. 129) is
GRANTED in part and **DENIED in part** as more fully set forth above.

IT IS SO ORDERED.

Dated at Wichita, Kansas, on this 30th day of March, 2021.

S/ KENNETH G. GALE
KENNETH G. GALE
United States Magistrate Judge