

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

TP ST ACQUISITION, LLC, et al.,

Plaintiffs,

v.

Case No. 21-2020-JAR

KEVIN LINDSEY, et al.,

Defendants.

**SECOND AMENDED SCHEDULING ORDER**

Defendants have filed a motion (ECF No. 52) to amend the scheduling order entered in this case (ECF Nos. 34, 35). Defendants seek a 90-day extension of the November 15, 2021-discovery deadline and corresponding extensions of the remaining deadlines. Plaintiffs do not oppose a shorter, 30-day, extension, but argue there is no good cause to further delay resolution of this case. The court agrees with plaintiffs.

Without giving specific details, defendants vaguely argue they need time to review written discovery that was recently produced. After that review is completed, they assert that the schedules of counsel and witnesses make it difficult for the parties to conduct the 13 depositions that are expected. After reviewing the record, the court finds defendants have shown good cause why the depositions cannot be completed by the current November 15, 2021 deadline, but have not demonstrated good cause to extend fact discovery past the

December 15, 2021 deadline plaintiffs proposed. It is therefore ordered that defendants' motion is granted in part and denied in part. The scheduling order is amended as follows:

a) All fact discovery shall be commenced or served in time to be completed by **December 15, 2021**.

b) Disclosures required by Fed. R. Civ. P. 26(a)(2), including reports from retained experts, are due from the party with the burden of proof by **December 29, 2021**. Disclosures and reports by any rebuttal experts are due by **February 11, 2022**. The deadline for completion of expert discovery is now **March 15, 2022**.

All other provisions of the original scheduling order shall remain in effect. The schedule adopted in this amended scheduling order shall not be modified except by leave of court upon a showing of good cause.

IT IS SO ORDERED.

Dated October 19, 2021, at Kansas City, Kansas.

s/ James P. O'Hara

James P. O'Hara  
U.S. Magistrate Judge