

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DARLENE MCDONNELL,	)	
	)	
Plaintiff,	)	2:20-CV-01060-CCW
	)	
v.	)	
	)	
KRG KINGS LLC., KELLY OPERATIONS	)	
GROUP, LLC.,	)	
	)	
Defendants.	)	

**SECOND CASE MANAGEMENT ORDER**

In accordance with the discussions held at the Telephonic Status Conference on May 4, 2021, the Court hereby ORDERS as follows:

1. The May 11, 2021 deadline for completing ADR set forth in ECF No. 27 is hereby vacated. The parties shall file a revised completed ADR stipulation selecting a date certain for their forthcoming mediation with Carol Katz, Esq., on or before **May 6, 2021**.

2. The parties shall complete all fact discovery on or before **October 18, 2021**. All interrogatories, notices of deposition, requests for admission and requests for production **shall be served within sufficient time to allow responses to be completed and served prior to the close of discovery and within sufficient time to allow the completion of depositions prior to the close of discovery.**

3. Expert discovery, if any, shall conform to the following schedule:
- a. Plaintiffs shall produce expert disclosures as required by Federal Rule of Civil Procedure 26(a)(2) on or before **November 1, 2021**.
  - b. Defendant shall produce expert disclosures on or before **November 30, 2021**.
  - c. All expert discovery shall be completed by **December 17, 2021**.

4. Additionally, discovery deadlines will be extended only by leave of court for good cause shown, and upon motion filed prior to the date on which discovery closes. The motion shall state the reason(s) for the requested extension and shall enumerate with specificity any previous extensions of discovery. The filing of a motion to dismiss or other dispositive motion generally will not stay discovery. Likewise, participation in an ADR process will not stay discovery.

5. Counsel must confer on discovery disputes prior to seeking the Court's intervention, and must follow the procedures set forth in the Court's Practices and Procedures (*see* webpage at [https://www.pawd.uscourts.gov/sites/pawd/files/Wiegand\\_Interim\\_Practices\\_Oct\\_2020.pdf](https://www.pawd.uscourts.gov/sites/pawd/files/Wiegand_Interim_Practices_Oct_2020.pdf)). If counsel for the parties cannot resolve the dispute, the parties must contact the Court to set up a conference in an effort to resolve the matter, rather than filing a formal discovery motion. For discovery disputes that arise during a deposition, the attorneys together may contact the Court to resolve the matter.

Any dispute not resolved shall be presented by motion in accordance with the Court's Practices and Procedures. For discovery motions (or any other type of motion), **no briefing schedule will issue**. Discovery motions shall include copies of only those pertinent portions of depositions, interrogatories, requests for admission and responses, *et cetera*, that are relevant to disposition of the motion.

6. The briefing of Plaintiffs' Motion for Final Certification of the FLSA Collective shall proceed as follows:

- a. Plaintiffs' Motion for Final Certification of the FLSA Collective shall be due on or before **November 8, 2021**, and Plaintiffs' supporting brief shall be limited to twenty (20) pages;

- b. Defendant's responses to the Motion for Final Certification shall be due on or before **November 29, 2021**, and shall be limited to twenty (20) pages; and
  - c. Should Plaintiffs wish to reply to Defendant's response, Plaintiffs shall seek leave of the Court. If granted, Plaintiffs' reply will be limited to five (5) pages and will be due within seven days of Defendant's response.
7. A separate order addressing the timing and procedures for dispositive motions will issue after resolution of Plaintiff's Motion for Final Certification of the FLSA Collective.

DATED this 4th day of May, 2021.

BY THE COURT:

/s/ Christy Criswell Wiegand  
CHRISTY CRISWELL WIEGAND  
United States District Judge

cc (via ECF email notification):  
All Counsel of Record