

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

MEMBER WILLIAMS, et al., Plaintiffs, vs. KISLING, NESTICO & REDICK, LLC, <i>et al.</i> , Defendants.	Case No. CV-2016-09-3928 Judge Patricia A. Cosgrove Plaintiffs' Unopposed Motion for Extension of Time in which to file a Motion to Compel Discovery under the Court's January 5, 2018 Order, and to respond to Defendants' Motion to Compel
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Plaintiffs hereby move for an extension of one week, until Monday, February 12, in which to file the Motion to Compel Discovery that is due on Monday February 5 pursuant to the Court's January 5, 2018 Order. Plaintiffs also seek an extension of one week, to file on the same day, a response to the KNR Defendants' pending Motion to Compel that was served on January 31, 2018.

The reason for the requested extensions are as follows: At the January 5, 2018 status conference, after Plaintiffs notified the Court of their intent to file a motion to compel discovery, the Court ordered that this motion be filed by February 5, 2018. The next week, on January 11, 2018, Plaintiffs' counsel wrote to Defendants' counsel seeking to schedule, as soon as possible, a Civ.R. 30(b)(5) deposition—which Plaintiffs first noticed on September 7, 2017—of a representative who would be competent to testify about the KNR Defendants' searches for responsive documents, primarily in their e-mail system. While the Plaintiffs offered numerous dates shortly after January 11 in which this deposition could proceed, the earliest available date provided by Defendants was yesterday, February 1, 2018, and this deposition of Plaintiffs' IT representative did in fact take place yesterday, and due to information that came to light at this deposition, Plaintiffs' counsel suggested

that the parties meet and confer next week in an effort to resolve or narrow the pending discovery dispute. Defendants' counsel agreed, and have thus agreed not to oppose the requested extension, which is not being made for the purpose of delay, will not unduly prejudice anyone, and will not postpone any other currently scheduled dates in this litigation. Thus, Plaintiffs respectfully request that the Court grant the one-week extension.

Respectfully submitted,

/s/ Peter Pattakos

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CERTIFICATE OF SERVICE

The foregoing document was served on all necessary parties by operation of the Court's e-filing system on February 2, 2018.

/s/ Peter Pattakos

Attorney for Plaintiffs