

**IN THE COURT OF COMMON PLEAS  
SUMMIT COUNTY, OHIO**

MEMBER WILLIAMS, et al.,

Plaintiffs,

v.

KISLING, NESTICO & REDICK, LLC, et al.

Defendants.

Case No.: CV-2016-09-3928

Judge James A. Brogan

**JOINT MOTION TO MODIFY SCHEDULING ORDER**

The KNR Defendants and Plaintiffs, by and through their undersigned counsel, hereby jointly and respectfully request a short continuance and modification of the Scheduling Order. On November 1, 2018, a settlement conference is being held in the Declaratory Judgment Action in the United States District Court for the Northern District of Ohio, captioned Wesco Insurance Co. v. Kisling, Nestico & Redick, LLC (“KNR”), Case NO. 5:18-CV-00248-SL. The Declaratory Judgment action involves insurance coverage for the claims made by the Plaintiffs in the within action against KNR.

KNR and Peter Pattakos, on behalf of the Williams v. KNR Plaintiffs, will be participating in the mediation referenced above. Therefore, the parties to the present action would like to stay depositions in the present case until after the November 1, 2018, mediation in the Declaratory Judgment Action. The parties are therefore rescheduling depositions, and an additional 30 days will be required for discovery and briefing on class certification issues.

Moreover, Dr. Ghoubrial is now in the case on the Fourth Amended Complaint. However, Dr. Ghoubrial's counsel, James Casey, underwent emergency surgery yesterday and new counsel at his firm will be taking over.

Accordingly, the parties request that the Scheduling Order be modified as follows:

<b>Event</b>	<b>Current Deadline</b>	<b>Proposed Deadline</b>
Deadline to Complete Discovery concerning the Class-Certification Issue	February 1, 2019	March 3, 2019
Deadline for Plaintiffs' Motion for Class Certification	March 1, 2019	April 3, 2019
Deadline for Defendants' Opposition to Class Certification	April 1, 2019	May 3, 2019

In addition to the undersigned, Defendants Ghoubrial and Floros have, through counsel, consented to the filing of this motion and have confirmed that they do not oppose it.

WHEREFORE, the parties respectfully request that the Court modify the Scheduling Order in accordance with the dates proposed herein, and request such other and further relief as this Court deems just and proper.

Respectfully Submitted,

/s/ Thomas P. Mannion

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**CERTIFICATE OF SERVICE**

Pursuant to Civ.R. 5(B)(2)(f), the undersigned certifies that a copy of the foregoing *Joint Motion To Modify Scheduling Order* was filed electronically on this 26th day of October 2018 and sent via email to counsel for all parties by the Clerk of Courts' filing system.

/s/ Thomas P. Mannion

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