

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

MEMBER WILLIAMS, et al..)	CASE NO.: CV-2016-09-3928
)	
Plaintiffs)	JUDGE JAMES A. BROGAN
-vs-)	
)	
KISLING NESTICO & REDICK LLC,)	<u>ORDER</u>
et al.)	
)	
Defendants)	

- - -

This matter is before the Court upon several pending motions. Upon due consideration of the issues raised in each, the Court makes the following rulings and orders:

- (1) Plaintiffs' Motion for Clarification of the Court's January 8, 2019 Order Extending Class-Discovery Deadline is GRANTED. To clarify, May 1, 2019 is the class-certification deadline (i.e., the date Plaintiffs' brief to certify the classes is due). To further clarify, April 15, 2019 shall be the discovery completion date for class-certification issues.
- (2) Plaintiffs' Motion to Compel the Continued Deposition of Richard Gunning, M.D. is GRANTED. The request for sanctions in conjunction with this Motion is OVERRULED.
- (3) Concerning the deposition of Robert Horton (scheduled for February 25, 2019) Plaintiffs filed a Motion for Protective Order and the KNR Defendants' responded by filing a Motion to Compel Deposition of Horton. Upon review of the motions and the issues presented, it is the Court's order that the KNR Defendants shall ask questions first during the deposition.¹ The following day, or whenever the continuation of the deposition is scheduled, Plaintiffs may inquire of the deponent. Accordingly, Plaintiffs' Motion for Protective Order is OVERRULED and the KNR Defendants' Motion to Compel is GRANTED. Mr. Horton is represented by counsel, who will be in attendance at the deposition, which should ensure that the

¹ The KNR Defendants subpoenaed Mr. Horton first on October 19, 2017.

parties will conduct the deposition in a professional manner and in accordance with the Rules of Civil Procedure.

The Court will issue rulings on the other recently filed motions in separate entries at a later date.

IT IS SO ORDERED.



JUDGE JAMES A. BROGAN
Sitting by Assignment #18JA1214
Pursuant to Art. IV, Sec. 6
Ohio Constitution

CC: ALL COUNSEL/PARTIES OF RECORD