

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

THOMAS E. PEREZ, Secretary of Labor
[now EDWARD HUGLER, Acting
Secretary of Labor],

Plaintiff,

v.

ASSOCIATION OF PROFESSIONAL
FLIGHT ATTENDANTS,

Defendant.

Civil Action No. 4:16-CV-1057-A

JOINT MOTION TO MODIFY TWO PRETRIAL DEADLINES

The Court previously entered its Order Setting Schedule and Providing Special Pretrial Instructions, on April 11, 2017. (Doc. 20.) The parties now respectfully request that the Court modify two of the pretrial deadlines set out in the order, with the intent of accommodating some intermediate scheduling issues of the parties but without delaying the final resolution of this case or disturbing the pretrial conference or trial dates.

First, the deadline for each party to file a written designation of experts and to make the disclosures required by Fed. R. Civ. P. 26(a)(2) is currently June 5, 2017 (120 days before the pretrial conference date). (*See* Doc. 20, ¶ 15.) The parties propose and request that this deadline be extended to June 30, 2017. The reason for the requested extension is that the parties anticipate that their experts will be reviewing technical information about the electronic voting system that was used in the union election at issue

in this litigation, and an extension of the expert deadline to June 30 would allow additional time needed to coordinate this review with the third party election administrator that possesses this information, as well as to facilitate a planned on-site visit to the third party's office in Portland, Oregon for an inspection and demonstration of the system. The parties are not seeking the modification of any other expert-related deadlines and, even if the requested extension of the expert designation/disclosure to June 30 is granted, the parties still intend to conduct any expert discovery (such as depositions) within the existing discovery deadline of August 11, 2017, and without the need for an extension of that deadline.

Second, the parties request that the deadline for summary-judgment motions, currently 4:00 p.m. on August 18, 2017, (Doc. 20, ¶ 1), be extended by one week to 4:00 p.m. on August 25, 2017. The reason for this request is to accommodate a family vacation of defendant's lead counsel that has been planned for August 4–11, and also to allow both parties additional time after the close of discovery to prepare their summary-judgment submissions. In connection with this request, and so as not to delay the completion of the summary-judgment briefing, the parties are prepared to expedite the filing of any reply briefs in support of their summary-judgment motions by filing any reply within 7 days of the filing of the other party's response, rather than the usual 14 days.

For these reasons, the parties request that the Court grant this joint motion and enter an order extending the expert designation/disclosure deadline and the summary-judgment motion deadline as set forth above.

Respectfully submitted,

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Certificate of Conference

This is to certify that lead counsel for the parties have conferred about the matters discussed in this motion and are in agreement about the relief requested, and therefore this motion is presented as a joint motion.

Brian W. Stoltz
Assistant United States Attorney

Certificate of Service

On April ____, 2017, I served the foregoing document and its accompanying proposed order on defendant, the Association of Professional Flight Attendants, by mailing it by prepaid first-class mail to defendant's counsel of record, addressed as follows:

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