

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

M. PETER KUCK, ET al.,	:	
	:	
Plaintiffs,	:	CASE NO.: 3:07-CV-1390-VLB
	:	
v.	:	
	:	
JOHN A. DANAHER III, ET AL.,	:	
	:	
Defendants.	:	OCTOBER 28, 2011

JOINT MOTION FOR MODIFICATION OF SCHEDULING ORDER [doc. 59]

The party Plaintiffs and Defendants hereby move jointly by this motion to modify the Scheduling Orders entered on August 23, 2010, [doc. 59] as follows:

- (1) Discovery shall be completed by February 29, 2012, an extension of four months from the current October 31, 2011, deadline;
- (2) Dispositive motions due by May 31, 2012, an extension of four months from the current January 31, 2012, deadline;
- (3) If no dispositive motions are filed, the Joint Trial Memorandum is due by June 30, 2012, an extension of four months from the current deadline of February 29, 2012.

In support, the parties offer as good cause for the requested modifications:

The Plaintiffs filed an Amended Complaint on September 3, 2010, against Defendants Danaher, Thomas, Masek, Adams, Bastura, Fox, Karanda, Mattson, Mazzoccoli, Rell, and Thomas. The Defendants moved to dismiss the Plaintiffs' complaints in their entirety. The Court granted and denied the Defendants' motions in part on September 29, 2011. The Court's decision granted judgment in favor of Defendants Thomas, Rell, and Mazzoccoli. In accordance with the

**Court's decision the Plaintiffs' filed an Amended Complaint in four counts adding two Defendants, T. William Knapp and Joseph Corradino, in their official capacity only.**

**To preserve resources that have been severely depleted during the four year duration of the cases, not knowing whether the cases would be dismissed in their entirety, and if not dismissed in their entirety what claims and Defendants would remain, the parties did not expend resources on discovery during the pendency of the Defendants' motion to dismiss.**

**As stated above, the Plaintiffs did file a Second Amended Complaint adding two new Defendants and the Defendants reasonably asked and were granted time to respond to the Second Amended Complaint until December 2, 2011. The Defendants' response to the Second Amended Complaint will impact the scope and subject matter of discovery dependent upon the answers and defenses raised, if any.**

**For all the foregoing reasons, the parties request the modifications set forth above.**

**PLAINTIFFS**

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**DEFENDANTS**

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**CERTIFICATION OF SERVICE**

I HEREBY CERTIFY THAT on October 28, 2011, a copy of the foregoing Joint Motion for Modification of Scheduling Order was filed electronically. Notice of this filing will be sent by email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

**/s/ Rachel M. Baird**  
Rachel M. Baird  
Commissioner of the Superior Court