

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Jane Doe and John Doe, individually, and
on behalf of Baby Doe,
Plaintiffs,

Case No. 15-cv-02639 (JRT/SER)

vs.

Emily Johnson Piper, in her official capacity
as Commissioner of the Minnesota
Department of Human Services, and
Lori Swanson, in her official capacity
as Minnesota Attorney General,

**Stipulation to Extend
Scheduling Order**

Defendants.

WHEREAS, Defendants timely served discovery and noticed depositions in this matter;

WHEREAS, Plaintiffs timely responded with objections and answers to Defendants' written discovery on May 31, 2016;

WHEREAS, on June 14, 2016, Defendants sent correspondence to Plaintiffs' counsel identifying a number of deficiencies in Plaintiffs' answers to Defendants' written discovery;

WHEREAS, on June 23, 2016, Defendants' counsel conferred with Plaintiffs' counsel about these issues, but Plaintiffs' counsel was unable to offer a firm position on the deficiencies Defendants raised without first conferring with Plaintiffs and co-counsel;

WHEREAS, on June 29, 2016, after receiving notices of depositions of Plaintiffs, which were served on June 24, 2016, Plaintiffs' counsel informed Defendants' counsel that Plaintiffs would move for a protective order and did not intend to produce their clients on July 11 or 12;

WHEREAS, after Plaintiffs were served with notices of deposition and while the parties were attempting to resolve their outstanding discovery disputes, Plaintiffs' counsel informed Defendants' counsel that they and Plaintiffs developed communication issues, which, according to Plaintiffs' counsel, made resolving all outstanding discovery disputes impracticable given serious privacy issues alleged by Plaintiffs in this case;

WHEREAS, Plaintiffs' counsel informed Defendants' counsel on July 8, 2016, that they believed their communication issues were resolved;

WHEREAS, on July 11, 2016, Plaintiffs' counsel told Defendants' counsel that Plaintiffs would be made available for depositions;

WHEREAS, Plaintiffs' and Defendants' counsel have engaged in further meet and confer efforts to resolve other outstanding discovery disputes, but have been unable to do so to date;

WHEREAS, since the parties were unable to resolve their discovery disputes during the pendency of discovery and Defendants were prevented from taking Plaintiffs' depositions during the discovery period, the parties agree that a four-month extension to conduct discovery is appropriate, particularly given that the parties and the Court recognized that the initial Scheduling Order presented an aggressive discovery timetable;

NOW THEREFORE, the parties hereby stipulate and agree that the deadlines in this matter shall be extended 4 months to allow (1) Plaintiffs to bring a motion for a Protective Order at the soonest possible time; (2) the parties to attempt to resolve their discovery disputes and, if unable, obtain the Court's ruling; and (3) permit the parties to conduct discovery.

Respectfully submitted,

<i>FOR PLAINTIFFS:</i> NEWMARK STORMS LAW OFFICE, LLC <u>/s/ Jeffrey S. Storms</u> JEFFREY S. STORMS Atty. Reg. No. 0387240 100 South Fifth Street, Suite 2100 Minneapolis, Minnesota 55402 Telephone: (612) 455-7500 Fax: (612) 455-7051 jeff@newmarkstorms.com Dated: <u>July 15, 2016</u>	<i>FOR DEFENDANTS:</i> OFFICE OF THE ATTORNEY GENERAL State of Minnesota <u>/s/ Scott H. Ikeda</u> SCOTT H. IKEDA Assistant Attorney General Atty. Reg. No. 0386771 445 Minnesota Street, Suite 1100 St. Paul, Minnesota 55101-2128 (651) 757-1385 (Voice) (651) 296-1410 (TTY) scott.ikeda@ag.state.mn.us Dated: <u>July 15, 2016</u>
--	--