

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,)	Civil Action No. 1:90-cv-00229
)	
Plaintiff)	
)	
v.)	
)	
ROBERT BRACE, ROBERT BRACE)	
FARMS, INC., and ROBERT BRACE and)	
SONS, Inc.)	
)	
Defendants)	

MOTION FOR STATUS CONFERENCE

Defendants, Robert Brace, Robert Brace Farms, Inc., and Robert Brace and Sons, Inc. (collectively, “Brace”) file this Motion for a Status Conference.

1. The current discovery deadline in this case is November 30, 2017.
2. On October 1, 2017, the United States filed a Motion for Protective Order (ECF No. 168) and Brief in Support of Motion for Protective Order (ECF No. 169) seeking to circumscribe the scope of discovery sought by Defendants consistent with this Court’s Order of June 15, 2017 (ECF No. 146),
3. Defendants filed a Brief in Opposition to the United States’ Motion for Protective Order on October 11, 2017 (*see* ECF No. 179).
4. On October 16, 2017, the United States filed a second Motion for Protective Order based on the same reasons as the United States’ October 1, 2017 Motion for Protective Order (ECF No. 180), and on October 19, 2017, Defendants filed a Response to the United States’ second Motion for Protective Order (ECF No. 182).
5. On October 23, 2017, the Court entered a temporary emergency protective order canceling the depositions [Defendants had] scheduled for October 24th and 25th. (ECF No. 185).

6. As of the date of this motion, there are less than 22 days left in the discovery period. Further, based on the Court's October 23, 2017 order, the Defendants have not sought to reschedule the temporarily cancelled depositions or to pursue the remaining depositions they require to prepare their defense.

7. Defendants request a status conference to discuss the current status of discovery and the potential for an extension of discovery depending on the anticipated timing of the Court's decision regarding Plaintiff's motion for a protective order, and to respond to any questions the Court may have regarding the issues raised in the pending motions and responses.

8. Plaintiff has scheduled the depositions of the defendants for 11/15 through 11/17 next week. As a result, counsels for plaintiff and defendants will be together in Erie during that period of time.

9. Counsel for Defendants sought the Plaintiff's consent to this motion, and Counsel for Plaintiff did not consent to the relief requested herein.

WHEREFORE, the Defendants, by and through their undersigned attorneys, respectfully request that Court schedule a status conference to discuss pending discovery issues

<p>Respectfully submitted,</p> <p>THE KOGAN LAW GROUP, P.C..</p> <p>By: <u>/s/ Lawrence A Kogan</u> Lawrence A. Kogan, Esq. (<i>Pro Hac Vice</i>) (NY # 2172955) 100 United Nations Plaza Suite #14F New York, New York, 10017</p> <p>(t)212 644-9240</p> <p>Email: lkogan@koganlawgroup.com</p> <p>Attorneys for Defendants, Robert Brace and Robert Brace Farms, Inc.</p>	<p>Respectfully submitted,</p> <p>KNOX McLAUGHLIN GORNALL & SENNETT, P.C.</p> <p>By: <u>/s/ Neal R. Devlin</u> Neal R. Devlin, Esq. (PA ID No. 89223) Alexander K. Cox, Esq. (PA ID No. 322065) 120 West Tenth Street Erie, PA 16501-1461 Telephone: (814) 459-2800 Fax: (814) 453-4530 Email: ndevlin@kmgslaw.com</p> <p>Attorneys for Defendants, Robert Brace and Robert Brace Farms, Inc.</p>
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