

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

ELLORA'S CAVE PUBLISHING, INC.
and
JASMINE-JADE ENTERPRISES, LLC

Case No: 5:14-cv-02331

Plaintiffs,

v.

DEAR AUTHOR MEDIA NETWORK, LLC
and
JENNIFER GERRISH-LAMPE

Defendants.

**Defendants Dear Author Media Network, LLC and Jennifer Gerrish-Lampe's
Reply to Plaintiffs' Response to Request for Clarification**

Now comes Dear Author Media Network, LLC and Jennifer Gerrish-Lampe and for their Reply to Plaintiffs' Response to the Request for Clarification Regarding Preliminary Discovery, state as follows:

1. In their Response, Plaintiffs do not deny the conversation and Court approved agreement reached regarding preliminary discovery during the January 26, 2015 case management conference.
2. Plaintiffs merely state that "Defendants had the same opportunity as Plaintiffs to depose witnesses for trial..." (Doc. 48 at ¶2.) This statement is somewhat misleading. At the time of the January 26, 2015 case management conference Defendants' did have the right to insist on taking depositions prior to July 15, 2015. However, during the case management conference the parties agreed, with the Court's approval, to limit preliminary discovery. This decision was

made in order to narrow issues and hopefully dispose of the case without incurring unnecessary expense.

3. Some time has passed since the January 26, 2015 case management conference and subsequent Case Management Plan. (Doc. 29) It is improper for Plaintiffs to take advantage of the passage of time, feign ignorance and not abide by the Court ordered preliminary discovery plan.

As such, Defendants respectfully request this court allow discovery to continue up to and including January 15, 2016. This discovery period would not interfere with the trial scheduled for April 4, 2015.

Dated this 11th day of September, 2015.

Respectfully Submitted,

/s/ Victoria L. Serrani
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ATTORNEYS FOR DEFENDANTS

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 11, 2015 I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that a true and correct copy of the foregoing document is being served upon: Steven W. Mastrantonio, Esq., counsel for Plaintiffs, via transmission of Notices of Electronic Filing generated by CM/ECF.

/s/ Victoria L. Serrani
Counsel for Defendants