

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
Request for Clarification Regarding Preliminary Discovery**

Dear Author Media Network, LLC and Jennifer Gerrish-Lampe respectfully request this Court allow Defendants time to conduct discovery consistent with plan agreed to during the January 26, 2015 case management conference.

During the January 26, 2015 case management conference, the parties agreed to set a preliminary discovery cutoff of July 15, 2015. See Doc. 29 (attached hereto as Exhibit A). It was decided that after Plaintiffs took limited discovery up to July 15, 2015, both parties would then be permitted to file dispositive motions by September 1, 2015. These deadlines were set by agreement of the parties and consent of the Court in order to narrow issues as a matter of judicial economy.

However, at the status conference on August 24, 2015 counsel did not clarify with the Court that limited preliminary discovery was not a

tactical decision on the part of the defense but rather a plan set at the case management conference. Given that plan was allowed by the Court on January 26, 2015, and acknowledged in the Case Management Conference Order (Doc. 29) by the notation of a preliminary discovery cutoff date of July 15, 2015; the parties require clarification that discovery is still open after the July 15, 2015 preliminary date.

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 31st day of August, 2015.

Respectfully Submitted,

/s/ Victoria L. Serrani

Marc J. Randazza, Esq.

Admitted in Northern District of Ohio

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ATTORNEYS FOR DEFENDANTS

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 31, 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