

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

ROBERTA LANCIONE, et al.,

Plaintiffs,

v.

MASS GENERAL BRIGHAM  
INCORPORATED,

Defendant.

Civil Action No. 1:21-cv-11686-FDS

**JOINT MOTION TO EXTEND TIME  
TO COMPLETE PHASE ONE FACT DISCOVERY**

The 160 represented Plaintiffs<sup>1</sup> and Defendant Mass General Brigham Incorporated (“MGB”) (together, the “Parties”), by and through their respective counsel, hereby move to extend the Phase One Fact Discovery deadline in the Court’s December 17, 2021 Scheduling Order by thirty (30) days from September 1, 2022 to October 1, 2022. *See* Dkt. 56. In Support of this motion, the Parties state as follows:

1. The Parties are engaged in and cooperating in discovery. The Parties have exchanged and responded to written discovery and produced thousands of documents.
2. To date, Defendant has deposed 30 of the 31 Plaintiffs who will be deposed during Phase One.

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<sup>1</sup> At present, there are 160 represented Plaintiffs and two *pro se* Plaintiffs in this action. The 160 represented Plaintiffs, through their counsel, join this Motion. Defendant sought the assent of the two *pro se* Plaintiffs by email on Wednesday, July 13, 2022, but at the time of filing, neither has responded. Defendant indicated in its message to them that it planned to file this Motion on Friday, July 15, 2022.

3. Plaintiffs have identified eight (8) of the ten (10) individuals they will depose during Phase One and have separately served two (2) Notices of 30(b)(6) Depositions to fill their final two Phase One deponent slots.
4. Counsel for the represented Plaintiffs is unavailable for most of July 2022 due to military duty.
5. Defendant's counsel has worked with the ten (10) MGB deponents to identify dates when each is available to sit for a deposition, but due to work conflicts and vacation schedules of witnesses and all parties' counsel, Defendant was not able to identify mutually agreeable dates for all of them during the month of August 2022.
6. Should the Court enter this Order, the Parties have agreed that Plaintiff will take six (6) of the MGB depositions during the month of August and four (4) during the month of September.
7. Given the impending Phase One Fact Discovery deadline of September 1, 2022, the Parties will require a short extension of Phase One to complete the remaining depositions. The Parties therefore respectfully request a 30-day extension of deadlines as follows:

|                                               | <b>Current Deadline</b> | <b>Proposed New Deadline with 30-day Extension</b> |
|-----------------------------------------------|-------------------------|----------------------------------------------------|
| Phase One Fact Discovery                      | September 1, 2022       | October 1, 2022                                    |
| All Depositions Other Than Expert Depositions | September 1, 2022       | October 1, 2022                                    |
| Dispositive Motions                           | February 15, 2023       | March 17, 2023                                     |

8. The allowance of this Motion shall not in any way impede the progress of this case and no party will be prejudiced by the extension of deadlines sought by this Motion.

WHEREFORE, the Parties respectfully request that the Court extend the Phase One Fact Discovery deadline in the December 17, 2021 Scheduling Order (Dkt. 56) by thirty (30) days to October 1, 2022.

Respectfully submitted,

**Tyler Adams, et al., the represented  
Plaintiffs**

By Their Attorneys,

/s/ Ryan P. McLane

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**Dated:** July 15, 2022

**MASS GENERAL BRIGHAM  
INCORPORATED**

By Its Attorneys,

/s/ Dawn R. Solowey

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**CERTIFICATION PURSUANT TO LOCAL RULE 7.1**

I hereby certify pursuant to Local Rule 7.1(a)(2) that on July 13, 2022, in an effort to confer in good faith to resolve or narrow the issues presented by this motion, I contacted the two *pro se* Plaintiffs, Dr. James Wines and Ms. Laina Frazier, individually by email to notify each of them of Defendant's and the represented Plaintiffs' joint intention to file this motion on Friday, May 15, 2022, to outline the reasons for the motion, and to seek their assent. At the time of filing, neither *pro se* Plaintiff has responded to that communication.

/s/ Dawn R. Solowey  
Counsel for Defendant

**CERTIFICATE OF SERVICE**

I hereby certify that on July 15, 2022, a true copy of the foregoing document was electronically filed through the Court's ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing. Paper copies will be sent to those indicated as non-registered participants.

/s/ Dawn R. Solowey  
Dawn R. Solowey