

SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
CIVIL DIVISION

STEVEN J. ROSEN :
 :
 Plaintiff :
 :
 v. : Case No.: 09-01256
 : Judge Erik Christian
 AMERICAN ISRAEL PUBLIC : Next Event: Discovery Close April 30, 2010
 AFFAIRS COMMITTEE, INC., *et. al.* :
 :
 Defendants :

JOINT MOTION TO MODIFY SCHEDULING ORDER

Plaintiff Steven J. Rosen and Defendants, American Israel Public Affairs Committee, Inc. and Patrick Dorton, through counsel, hereby move this Honorable Court to modify the Scheduling Order by extending the close of discovery until June 4, 2010. In support of this joint motion, the parties refer the Court to their memorandum of points and authorities

Respectfully submitted,

SWICK & SHAPIRO

CARR MALONEY P.C.

By: _____ /s/
David H. Shapiro, #961326
1225 Eye Street, NW
Suite 1290
Washington, DC 20005
(202) 842-0300
dhshapiro@swickandshapiro.com
Counsel for Plaintiff

By: _____ /s/
Thomas L. McCally, #391937
Allie M. Wright, #499323
1615 L Street, NW, Suite 500
Washington, DC 20036
(202) 310-5500/(202) 310-5555 (FAX)
tlm@carrmaloney.com/amw@carrmaloney.com
Counsel for the above-named Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 29th day of March, 2010, I will electronically file the foregoing with the Clerk of the Court using the CaseFile Express system, which will then send a notification of such filing to David H. Shapiro, attorney for Plaintiff.

_____/s/
Allie M. Wright

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**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF
JOINT MOTION TO MODIFY SCHEDULING ORDER**

Discovery is currently set to close on April 30, 2010. The parties have conferred and agree that the remaining discovery period is not sufficient to complete the necessary discovery in this litigation, specifically depositions, based on events out of the control of counsel.

The parties seek this extension because of scheduling conflicts and unavailability of witnesses due to previously scheduled commitments as well as the schedule of counsel for Defendants, Thomas McCally. Mr. McCally's availability thus far has been limited by another case where he is lead counsel that has a large number of previously scheduled depositions and discovery matters.

The parties seek an extension to the discovery deadline to compensate for the time taken by those previously scheduled matters and to accommodate the large number of depositions involved in this litigation. The parties have in excess of fifteen (15) depositions to take and many of the deponents live outside of the Washington, DC Metropolitan Area. The current discovery deadline does not provide adequate time to schedule, prepare, and depose deponents, including those that reside in distant locations such as California, Texas, and New York.

