

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JAMES HANDWORK)
Lake Erie Correctional Institution)
P.O. Box 8000)
Conneaut, Ohio 44030)

Plaintiff,)

v.)

Civil Action No. 1:16-cv-00825
Judge Solomon Oliver, Jr.

THE OHIO DEPARTMENT OF)
REHABILITATION AND CORRECTION)
777 West Broad St.)
Columbus, OH 43222)

and)

GARY C. MOHR)
In his official capacity as Director of Ohio Department)
of Rehabilitation and Correction)
777 West Broad St.)
Columbus, OH 43222)

Defendants.)

UNOPPOSED MOTION TO MODIFY THE DISCOVERY SCHEDULE

Plaintiff James Handwork, by and through his attorneys, hereby moves this Honorable Court for an Order modifying the discovery schedule in this matter. Plaintiff requests that this Court replace the current discovery cut-off date of November 23, 2016, with an order that discovery will close 60 days after this Court issues its decision on the cross-motions for summary judgment that are currently pending before it. The parties cannot know whether, or to what extent,

further discovery will be necessary until this Court issues its decision. Plaintiff's Counsel has obtained agreement on this issue from Defendants' Counsel, and files this motion unopposed.

Wherefore Plaintiff respectfully requests that this Court enter an Order modifying the discovery schedule by changing the discovery cut-off date to the date falling 60 days after this Court issues its ruling on the parties' cross-motions for summary judgment.

Dated this 25th Day of October, 2016.

Respectfully submitted,

s/ Freda J. Levenson
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I certify that the foregoing Unopposed Motion to Modify the Discovery Schedule was electronically filed with the District Court of the Northern District of Ohio on October 25, 2016. The Court's electronic filing system will provide notice of this filing to all parties, and all parties may access this filing through the Court's electronic filing system.

s/ Freda Levenson
Freda Levenson (0045916)
Trial Attorney for Plaintiff