

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

**DALE W. ADAMS and
CYNTHIA LONG ADAMS,
and HALEY ADAMS, by and through her
parent and natural guardian,
CYNTHIA LONG ADAMS,**

Plaintiffs,

v.

**CIVIL ACTION NO. 3:06-CV-65
(BAILEY)**

**RUSH TRUCKING CORPORATION,
a corporation, and
DENNIS LEE GILKINSON,**

Defendants.

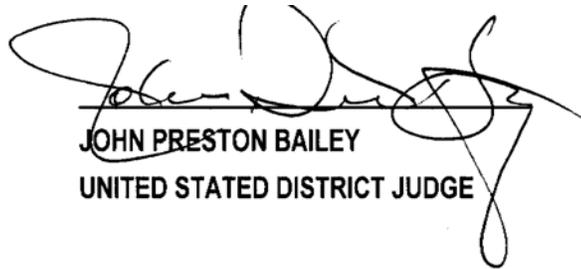
ORDER GRANTING DEFENDANTS' MOTION TO EXTEND DISCOVERY

On this day, the above-styled matter came before the Court for consideration of Defendants' Motion to Extend Discovery to Take the Deposition of Mark Pendergrass [Doc. 166] filed on November 12, 2007. The defendants state that the plaintiffs filed a response to their motion for summary judgment, which included an affidavit of Mark Pendergrass, a former employee of defendant Rush Trucking. The defendants indicate that Mr. Pendergrass has not been previously disclosed as a witness, and that his affidavit was not made available to them until November 5, 2007, after the close of discovery. After review of the above, and for good cause shown, the motion [Doc. 166] is hereby **GRANTED**. It is, therefore, **ORDERED** that only the discovery deadline to depose Mark Pendergrass is **EXTENDED** until December 31, 2007.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to all counsel of record herein.

DATED: November 13, 2007.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE