

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
CONTRACT APPEALS BOARD**

APPEAL OF:

DYNAMIC CORPORATION)
) CAB No. D-1482
Under Contract No. POFB-2005-C-0016-EW)

ORDER GRANTING SCHEDULING ORDER EXTENSION REQUEST

Filing ID #55346069

Before the Board is the Appellant's January 3, 2014, motion to extend particular dates in the present matter previously established by the Board's October 9, 2013, scheduling order. The Appellant asserts that this request is warranted given its pending motion to dismiss which may ultimately be dispositive of the District's counterclaims or this action in its entirety. While the Board is willing to grant a short extension of the discovery deadlines, the parties are advised that the fact that a dispositive motion has been filed in this matter is not justification for staying discovery, or other scheduling order deadlines, in this case.¹

The schedule in this matter is amended as follows:

<u>April 30, 2014:</u>	All non-expert discovery shall be completed by this date.
<u>May 19, 2014:</u>	Appellant's expert designation and report shall be disclosed.
<u>June 20, 2014:</u>	District's expert designation and report shall be disclosed.
<u>July 9, 2014:</u>	Appellant's rebuttal expert report shall be disclosed.
<u>July 25, 2014:</u>	District's rebuttal expert report shall be disclosed. The parties shall also file all dispositive motions, and make all objections to the Appeal File.
<u>July 28, 2014:</u>	Expert discovery shall be completed by this date.
<u>August 15, 2014:</u>	Parties shall file a Joint Pretrial Statement with the Board, which should include: (a) a statement of the case for each party, including the factual basis for all amounts being claimed by either party; (b) a statement of the legal issues involved in each party's case; (c) the claims and defenses

¹ On this basis, the Board denies the Appellant's pending December 10, 2013, Motion to Stay Discovery in this matter, which is based upon the pending resolution of its motion to dismiss the District's counterclaims.

of each party; (d) stipulations of fact; (e) stipulations as to the admissibility of certain exhibits; (f) the parties' respective hearing witness lists, with each witness listed in the order of examination, and which shall include a proffer of testimony for each witness to be provided at the hearing and the anticipated duration of their examination; and (g) the parties' respective exhibit lists, which shall identify the witness through which each exhibit will be introduced. **(Deadline unchanged)**

September 3, 2014:

Prehearing conference at the Board, beginning at 11:00 a.m. **(Deadline unchanged)**

September 22, 2014:

Hearing on the merits of the claims in the Board courtroom at 9:00 a.m. daily to conclude no later than September 26, 2014. The District shall provide a court reporter. **(Deadline unchanged)**

SO ORDERED.

Date: April 24, 2014

/s/ Monica C. Parchment
MONICA C. PARCHMENT
Administrative Judge

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