

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Adam Steele, Brittany Montrois, and)
Joseph Henchman, on behalf of)
themselves and all others similarly)
situated,)
Plaintiffs,)
)
v.)
)
United States of America,)
Defendant.)
_____)

Civil Action No.: 1:14-cv-01523-RCL

JOINT MOTION FOR MODIFICATION OF THE SCHEDULING ORDER

The parties jointly move the Court for an order modifying the current Scheduling Order to extend the close of fact discovery to November 30, 2020. (*See* Dkt. Nos. 99 & 100.) In support of their motion, the parties aver as follows:

1. On May 2, 2019, the Court entered a scheduling order, which, among other things, set a deadline of November 29, 2019 for the close of fact discovery. (*See* Dkt. 100.)
2. On October 31, 2019, the parties submitted a joint motion to modify the scheduling order. (*See* Dkt. 107.)
3. In that motion, the parties sought an initial extension of the close of fact discovery from November 29, 2019 until February 28, 2020.
4. The parties also sought to suspend the remainder of the schedule.
5. The parties sought an initial three-month extension to permit time to complete focused discovery and narrow the scope of any remaining fact discovery.

6. Before the close of the three-month period, the parties agreed to submit a subsequent extension request once they determined the amount of time necessary to complete any agreed-upon, narrowed fact discovery.

7. The Court has not yet ruled on the joint motion.

8. On February 28, 2020, the parties submitted a joint status report describing their discovery efforts to date as well as their negotiations of a schedule for the remainder of fact discovery. (*See* Dkt. 122.)

9. Plaintiffs served formal discovery requests on the United States and the United States raised objections to certain of those requests.

10. After discussions regarding the scope of discovery in this case, the parties agreed to narrow plaintiffs' requests.

11. As a result and with the agreement of the United States, plaintiffs submitted to the United States informal requests for the production of materials related to: (a) post-2010 activities primarily conducted by the Return Preparer Office ("RPO requests"); (b) pre-2011 activities related to the PTIN issuance system used before October 2010 ("legacy-PTIN requests"); and (c) EINs and ITINs, and fees paid by enrolled agents ("other identifying numbers and EA requests").

12. The parties have agreed that the United States need only produce materials sufficient to show the information sought by plaintiffs' informal requests.

13. The parties have agreed to the following schedule to complete production of documents and conduct depositions.

14. By no later than June 1, 2020, the United States will complete production of materials related to the RPO requests.

15. By no later than August 31, 2020, the United States will complete production of materials related to the legacy-PTIN requests and other identifying numbers and EA requests.

16. By no later than November 30, 2020, the parties will complete fact depositions.

17. The parties will submit an additional report by October 30, 2020, proposing a schedule for the remainder of the case.

Dated: March 13, 2020

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Respectfully submitted,

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CERTIFICATE OF SERVICE

On March 13, 2020, I filed the foregoing Joint Motion for Modification of the Scheduling Order with the Clerk of Court using the Official Court Electronic Document Filing System, which served copies on all interested parties registered for electronic filing.

Dated: March 13, 2020

/s/ Christopher J. Williamson
CHRISTOPHER J. WILLIAMSON