


Additionally, the Court is concerned as to whether the current briefing is sufficient to address this remaining claim. Because of this, the parties are hereby **GRANTED LEAVE** to file motions for summary judgment on this claim, and the scheduling order is **AMENDED** as follows:

Motions for summary judgment as to this claim are due on or before May 4, 2022. Responses to motions for summary judgment are due on or before May 25, 2022. Reply briefs are due on or before June 8, 2022. In addition, Defendant is permitted to supplement and/or refile his Motion to Exclude Expert Testimony if this Motion is still relevant to the remaining claim. This Motion shall be governed by this same briefing schedule.

IT IS SO ORDERED this 12th day of April, 2022.



Leigh Martin May
United States District Judge

denial of summary judgment to Defendant on that claim, Dkt. No. [190] at 17, this claim is no longer moot.