**UNITED STATES DISTRICT COURT**
**DISTRICT OF MINNESOTA**

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| JOHN WINGO,<br><br>Plaintiff,<br><br>v.<br><br>3M COMPANY,<br><br>Defendant. | Case No. 22-cv-00993-WMW-JFD<br><br>**JOINT STIPULATION TO AMEND SECOND AMENDED PRETRIAL SCHEDULING ORDER** |

Plaintiff John Wingo ("Plaintiff") and Defendant 3M Company ("Defendant" and collectively, the "Parties") in the above-captioned matter, by and through their undersigned counsel, for good cause, hereby jointly move for an order to modify deadlines provided in the Court's Amended Pretrial Scheduling Order of July 6, 2023 [ECF No. 41].

In support of this motion, the Parties state the following:

1. On July 6, 2023, the Court entered the Second Amended Pretrial Scheduling Order for the above-captioned matter and the following related cases: *Holler v. 3M Co.*, No. 22-00998; *Rieger v. 3M Co.*, No. 22-00994; *Kargbo v. 3M Co.*, No. 22-00996, *Vaughn Wingo v. 3M Co.*, No. 22-01890, and *Nevely Randle* v. 3M Co. No. 22-01904 (hereinafter collectively referenced as the "Related Cases"), which provides that the schedule may be modified only upon formal motion and a showing of good cause.

2. The Parties, by joint stipulation, desire to extend a deadline in the Scheduling Order for the above-captioned matter, *John Wingo v. 3M Co.*, No. 22-00993, as discussed herein.

3. On July 26, 2023, Plaintiff's counsel informed Defendant's counsel that it would be providing a late discovery supplementation of hundreds of pages of text messages, and potentially other documents including photos or videos, after recently receiving a forensic phone image from Plaintiff's former counsel taken at the outset of the case ("Plaintiff's Supplemented Discovery").

4. The current non-dispositive motion deadline relating to fact discovery is July 28, 2023. However, Plaintiff's supplemented discovery will not be provided until after that date. Therefore, good cause exists to move the non-dispositive motion deadline relating to Plaintiff's Supplemented Discovery.

5. The Parties have stipulated to move the non-dispositive deadline related to Plaintiff's Supplemented Discovery to 14 days after Plaintiff completes production of Plaintiff's Supplemented Discovery.

6. Because good cause exists, the Parties jointly move the Court to enter an Amended Scheduling Order as follows:

**Non-dispositive motions and supporting documents which relate to fact discovery or related matters related to Plaintiff's Supplemental Discovery (as defined in the Parties' Joint Stipulation to Amend the Second Amended Pretrial Scheduling Order, ECF. No. __) shall be filed and served on or before 14 days after Plaintiff completes his production of Plaintiff's Supplemental Discovery.**

Stipulated to:

MCCOLLUM CROWLEY PA

Dated: July 27, 2023

By: *s/ Brian J. Kluk*

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Dated: July 27, 2023

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