

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

DAVID BOURKE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 22 C 3164
	)	
DENIS McDONOUGH, Secretary, U.S.	)	Judge Kennelly
Department of Veterans Affairs,	)	
	)	
Defendant.	)	

**JOINT MOTION FOR FIRST EXTENSION OF  
DEADLINE OF FACT DISCOVERY COMPLETION DATE**

This court has established a close of fact discovery in the above-captioned case of May 22, 2023. Dkt. 8. The parties, however, jointly request a 90-day extension on fact discovery, to August 21, 2023. In support of the motion, the parties state:

1. Due to plaintiff David Bourke's health problems, fact discovery, including plaintiff's written discovery responses and his deposition, were delayed earlier this year.

2. Following the deposition of Mr. Bourke on March 27, 2023, the parties began scheduling the seven VA witnesses plaintiff had noticed. Because of the unavailability of some of the VA witnesses, the parties require additional time to complete the depositions and fact discovery.

3. Plaintiff has now deposed three VA witnesses, and the four other witnesses are available in the coming weeks of late May and June, pending the court's decision on the instant motion.

4. Based on testimony at the last deposition (held on May 16, 2023), plaintiff concluded that he should undertake three additional (and brief) depositions.

5. The present motion is the first request for a discovery extension, and the parties are confident that these depositions can be concluded by the requested new discovery close date of August 21, 2023. (The parties do not contemplate calling any experts.)

WHEREFORE the parties respectfully request that the court extend the deadline to complete fact discovery to August 21, 2023.

Respectfully submitted,

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