

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>HILLARY SCOTT; CHARLES</b>	)	
<b>KELLEY; DAVID HAYWOOD; AND</b>	)	
<b>LADY A ENTERTAINMENT LLC,</b>	)	
	)	
<b>PLAINTIFFS,</b>	)	
	)	<b>NO. 3:20-0585</b>
<b>VS</b>	)	
	)	<b>JUDGE CAMPBELL</b>
<b>ANITA WHITE,</b>	)	<b>MAGISTRATE JUDGE HOLMES</b>
	)	
<b>DEFENDANT.</b>	)	

**ORDER MODIFYING INITIAL CASE MANAGEMENT  
ORDER AND OCTOBER 14, 2020 ORDER**

On October 5, 2020, the Court entered its Initial Case Management Order (Docket No. 38) setting forth the deadlines applicable in the above-captioned matter. On October 14, 2020, the Court entered its Corrected Order (Docket No. 41) setting forth the parameters for jurisdictional discovery, in connection with Defendant Anita White’s pending Motion to Dismiss (Docket Nos. 14-17). From the November 9, 2020 joint filing of Plaintiffs Hillary Scott, Charles Kelley, David Haywood, and Lady A Entertainment LLC (collectively, “Plaintiffs”), and Defendant Anita White (Docket No. 42)<sup>1</sup>, which is ostensibly a request for modification of the case management schedule and plan, and the agreed-upon provisions set forth in the November 9 joint filing, the Court finds good cause for the following modifications:

1. On **November 23, 2020**, Ms. White shall appear (virtually) to give her deposition as set forth in the Court’s Corrected Order (Docket No. 41, pp. 2-4).

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<sup>1</sup> In entering this order, the Court notes that no motion to modify the case management order was filed, even though detailed instructions for such motions were set out in the initial case management order. *See* Docket No. 38 at 8-9. Further, any request for action by the Court must be made by motion, or the parties proceed at their own peril that the Court may not recognize a filing as requesting relief and may overlook the filing, particularly given the volume of filings that occur in the hundreds of cases comprising the Court’s caseload in any given day. Failure to comply with the Court’s orders, local rules, and practices may be increasingly consequential.

2. **Between November 23, 2020 and December 10, 2020**, the parties—along with their respective counsel—shall complete their first substantive attempt at settlement.

3. By **December 17, 2020**, the parties shall submit a joint case resolution status report confirming their first substantive attempt at settlement. The contents of such report shall be as set forth in the Court’s Initial Case Management Order (Docket No. 38, at pp. 5-6).

4. This Agreed Order shall not modify any deadline or provision of the Initial Case Management Order or Corrected Order, other than as set forth expressly herein. All other provisions of such orders remain in full force and effect.

It is so **ORDERED**.

  
BARBARA D. HOLMES  
United States Magistrate Judge