

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re WESTINGHOUSE ELECTRIC COMPANY LLC, <i>et al.</i> , Debtors.	Chapter 11 Case No. 17-10751 (MEW) (Jointly Administered)
WESTINGHOUSE ELECTRIC COMPANY LLC, <i>as reorganized</i> Plaintiff, v. SOUTH CAROLINA PUBLIC SERVICE AUTHORITY Defendant	Adv. Proc. No. 19-01109 (CGM)

JOINT MOTION TO AMEND THE DISCOVERY DEADLINE

Plaintiff Westinghouse Electric Company LLC (“WEC”) and Defendant South Carolina Public Service Authority (“Santee Cooper,” and together with Plaintiff, the “Parties”), by and through their undersigned counsel, respectfully submit this Joint Motion to Amend the Discovery Deadline (the “Motion”). In support thereof, the Parties inform the Court as follows:

1. On December 13, 2019, the Parties engaged in all-day mediation in New York before mediator Noah Hanft. Thereafter, the Parties continued to discuss a potential framework for the resolution of the issues in this action.



2. On January 29, 2020, the Parties engaged in another full-day mediation in South Carolina before mediator Hanft.

3. On May 5, 2020, the Parties participated in a telephonic mediation before mediator Hanft.

4. The Parties are still in the process of mediating and are attempting to agree to final settlement terms.

5. Pursuant to the Parties' jointly submitted Stipulation and Amended Scheduling Order, entered by the Court on November 20, 2019 (ECF No. 64), the Parties were to complete document production by February 12, 2020 and exchange privilege logs on February 21, 2020.

6. The Parties jointly submitted six Motions to Amend the Discovery Deadline (ECF Nos. 74, 76, 79, 81, 85 & 87), requesting that certain deadlines be extended.

7. The Parties participated in a status conference on March 19, 2020 wherein the Parties advised they were continuing mediation discussions and the Court directed the Parties to submit revised pre-trial deadlines. *See* Notice & Stipulation of Adjournment of Status Conference to April 16, 2020 (submitted via e-orders on March 23, 2020).

8. The Parties have continued to focus their time, resources, and efforts on the above-described mediation and settlement discussions in an attempt to resolve this dispute.

9. Accordingly, the Parties respectfully request that the Court extend: (1) the deadline for the completion of document production to May 27, 2020, (2) the

deadline for the exchange of privilege logs to June 5, 2020, (3) the fact discovery deadline to June 19, 2020; (4) the expert witness deadline to June 26, 2020; (5) the expert rebuttal report deadline to July 17, 2020; (6) depositions of expert witnesses to August 7, 2020; (7) completion of expert discovery to August 14, 2020; and (8) move for summary judgment to August 21, 2020. These extensions will allow the Parties to continue their settlement discussions with mediator Hanft. The Parties intend to submit an amended scheduling order as to all pre-trial deadlines, if necessary.

Respectfully submitted,

Dated: May 7, 2020
New York, NY

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