

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

**DAVID ROBERTSON and
DANIEL RODNI,**

Plaintiffs,

v.

RYAN UPCHURCH,

Defendant.

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Case No. 3:23-cv-00770

District Judge William L. Campbell, Jr.

Magistrate Judge Barbara D. Holmes

**JOINT MOTION TO CONTINUE
INITIAL CASE MANAGEMENT CONFERENCE AND STAY DISCOVERY**

Come now Plaintiffs David Robertson and Daniel Rodni and Defendant Ryan Upchurch, by and through undersigned counsel, and hereby move this Honorable Court to enter an Order to continue the Initial Case Management Conference currently set for October 11, 2023 at 2:00 p.m. and to stay discovery in this matter, including to stay the exchange of initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1), pending the outcome of Mr. Upchurch's anticipated Motion to Dismiss. In support of this Motion, the parties would show the following:

1. Mr. Upchurch intends to file his Motion to Dismiss on October 10, 2023.
2. Continuing the Initial Case Management Conference pending the outcome of Mr. Upchurch's anticipated Motion to Dismiss will benefit all parties in this case because, should the dispositive motion be granted, they will not be burdened with expensive discovery, including initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1), and there will be no need to discuss discovery deadlines or a trial date.
3. Granting this Motion will not unnecessarily delay this litigation.

WHEREFORE, PREMISES CONSIDERED, the parties respectfully request this Court enter an Order to continue the Initial Case Management Conference currently set for October 11, 2023 at 2:00 p.m. to a date after the Court has ruled on Mr. Upchurch's anticipated Motion to Dismiss and to stay discovery in this matter, including to stay the exchange of initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1).

Respectfully Submitted,

Sherwood Boutique Litigation, PLC

By: /s/ Cynthia A. Sherwood
Cynthia A. Sherwood
Austin M. Correll
414 Union Street
Suite 1110
Nashville, TN 37219
T: (615) 874-5670
F: (615) 900-2312
cynthia@sherwoodlitigation.com
austin@sherwoodlitigation.com
Counsel for Defendant Ryan Upchurch

Law Offices of David Randolph Smith & Associates

By: /s/ Christopher W. Smith
Christopher W. Smith
David Randolph Smith
Dominick R. Smith
1913 21st Avenue South
Hillsboro Village
Nashville, TN 37212
T: (615) 742-1775
F: (615) 742-1223
csmith@drslawfirm.com
drs@drslawfirm.com
dom@drslawfirm.com
Counsel for Plaintiffs David Robertson and Daniel Rodni

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been served on the following via
the Court's CM/ECF system:

Christopher W. Smith
Law Offices of David Randolph Smith & Associates
1913 21st Avenue South
Hillsboro Village
Nashville, TN 37212
T: (615) 742-1775
F: (615) 742-1223
csmith@drslawfirm.com

David Randolph Smith
Law Offices of David Randolph Smith & Associates
1913 21st Avenue South
Hillsboro Village
Nashville, TN 37212
T: (615) 742-1775
F: (615) 742-1223
drs@drslawfirm.com

Dominick R. Smith
Law Offices of David Randolph Smith & Associates
1913 21st Avenue South
Hillsboro Village
Nashville, TN 37212
T: (615) 742-1775
F: (615) 742-1223
dom@drslawfirm.com

on this the 4th day of October 2023.

/s/ Cynthia A. Sherwood