

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALANNA MAROTTA,

Plaintiff,

CASE NO. 14-CV-11149
HONORABLE GEORGE CARAM STEEH

v.

FORD MOTOR COMPANY, a Michigan
corporation, MICHAEL WENDEL, an
individual, and THOMAS GARRITY, an
individual,

Defendants.

ORDER GRANTING, WITH CONDITIONS, PLAINTIFF'S
MOTION FOR ADJOURNMENT OF TRIAL (DOC. 74)

This matter comes before the Court on Plaintiff's motion to adjourn trial. (Doc. 74). Plaintiff's counsel suffers from a chronic and severe medical condition and will undergo a necessary medical procedure related to the condition on May 23. Given Plaintiff's counsel's condition, it will not be possible for counsel to adequately prepare for trial and represent Plaintiff at trial. Moreover, it is unlikely that Plaintiff's counsel would be able to find co-counsel or replacement counsel in time for the June 7, 2016 trial date. Therefore, Plaintiff requests an adjournment. Defendants oppose the motion. (Doc. 75). Defendants argue that they have invested substantial money and time preparing for trial on the understanding that it would begin on June 7. Multiple witnesses have had to rearrange their schedules in order to be available for the June 7 trial. Defendants also point out that Plaintiff's counsel has suffered from the same condition for at least the past year, and they

contend that there is no likelihood that Plaintiff's counsel will be able to try the case at any time in the near future.

The Court is sympathetic to Defendants' position but ultimately concludes that there is good cause to adjourn the trial date. See Fed. R. Civ. P. 16(b)(4). At the May 19 final pretrial conference, Defendants' counsel represented that Defendants' witnesses would be available to testify if the trial were adjourned to October 11. Therefore, the trial will be adjourned to October 11, 2016, at 9 a.m.

Given that Plaintiff's counsel's medical condition is recurring, and given that this is not the first time it has caused an issue in this case, the Court believes that it would be appropriate and necessary for Plaintiff's counsel to find co-counsel to assist him with the trial. At the final pretrial conference, Plaintiff's counsel agreed to find co-counsel by May 31, 2016.

Therefore, the Court will GRANT, WITH CONDITIONS, Plaintiff's motion to adjourn. IT IS ORDERED that the trial is ADJOURNED to October 11, 2016, at 9:00 a.m. IT IS FURTHER ORDERED that Plaintiff's counsel shall find co-counsel to appear and assist with the October 11 trial and that co-counsel shall file an appearance by May 31. Co-counsel shall be expected to conduct the October 11 trial, if necessary, without participation by Plaintiff's current counsel, Jeffrey Burg, if Mr. Burg is unable to appear.

IT IS SO ORDERED.

Dated: May 19, 2016

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
May 19, 2016, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk