

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

URIEL PHARMACY HEALTH AND WELFARE
PLAN; URIEL PHARMACY INC.; HOMETOWN
PHARMACY; AND HOMETOWN PHARMACY
HEALTH AND WELFARE BENEFITS PLAN on
their own behalf and on behalf of all others
similarly situated,

Case No. 2:22-cv-610-LA

Plaintiffs,

v.

ADVOCATE AURORA HEALTH, INC. AND
AURORA HEALTH CARE INC.,

Defendants.

PATRICK SHAW; DEBRA SHAW; AND
HALEY SHAW, on their own behalf and on behalf
of all others similarly situated,

Plaintiffs,

Case No. 2:24-cv-157-LA

v.

ADVOCATE AURORA HEALTH, INC. AND
AURORA HEALTH CARE INC.,

Defendants.

**JOINT CIVIL L. R. 7(H) EXPEDITED NON-DISPOSITIVE MOTION
TO AMEND THE SCHEDULING ORDER AS TO CERTAIN EXPERT DISCOVERY**

Plaintiffs Patrick Shaw, Debra Shaw, and Haley Shaw, Plaintiffs Uriel Pharmacy Health and Welfare Plan, Uriel Pharmacy Inc., Hometown Pharmacy; and Hometown Pharmacy Health and Welfare Benefits Plan (collectively, the “Plaintiffs”), along with Defendants Advocate Aurora Health, Inc. and Aurora Health Care Inc. (collectively, the “Defendants” and, together with Plaintiffs, the “Parties”), respectfully move the Court to modify the Scheduling Order (*Uriel* Dkt No. 41) to extend deadlines related to certain expert discovery. Because this Motion is unopposed and affects deadlines as soon as this Friday, November 7, 2025, the Parties respectfully request

that the Court act on the Motion before that date. In support of this Motion, the Parties state as follows:

1. Good cause exists for the requested extension. Notwithstanding the *Shaw* Plaintiffs' diligence, recent unforeseen issues pertaining to an expert require additional time for the *Shaw* Plaintiffs to serve an expert disclosure. Absent this extension, the *Shaw* Plaintiffs' case will be significantly impaired. *See Boykin v. Ill. Dep't of Juv. Just.*, No. 23-cv-4109, 2025 LEXIS 35403, at *11 (N.D. Ill. Feb. 27, 2025) ("Courts generally prefer to resolve disputes on their merits instead of procedural technicalities." (cleaned up)).

2. After learning of this unforeseen issue, the Parties promptly met and conferred and negotiated and consented to the below extension.

3. To avoid disruption to the broader case schedule, a wide gap between the service of different expert reports, and potential for prejudice to any Party in either *Shaw* or *Uriel*, the Parties propose the following modest extensions to the deadlines pertaining to expert reports and depositions. The Parties' proposal maintains all other deadlines that are currently in place. Because the rest of the case schedule remains intact—including no changes to the deadlines for motions related to class certification, summary judgment, and *Daubert* issues—no Party will be prejudiced by the requested extension.

4. A chart showing the proposed deadline modifications is below.

Event	Current Dates	Proposed Date
Deadline to Serve Opening Expert Reports on All Issues on Which a Party has the Burden of Proof Except <i>Shaw</i> -only Expert Reports	November 7, 2025	November 21, 2025
Deadline to Serve <i>Shaw</i> -only Expert Reports	November 14, 2025	December 1, 2025

Deadline to Serve Opposing Expert Reports Except <i>Shaw</i> -only Opposing Reports	January 6, 2025	January 20, 2026
Deadline to Serve <i>Shaw</i> -only Opposing Expert Reports	January 13, 2026	February 2, 2026
Deadline to Serve Rebuttal Expert Reports	March 9, 2026 (for reports common to <i>Shaw</i> and <i>Uriel</i>); March 16, 2026 (for <i>Shaw</i> -only reports)	March 23, 2026
Expert Deposition Deadline	April 8, 2026 (for experts presented in both <i>Shaw</i> and <i>Uriel</i>); April 10, 2026 (for <i>Shaw</i> -only experts)	April 15, 2026

5. The Parties appreciate the Court's attention to this unforeseen and time-sensitive matter. The Parties do not presently anticipate seeking further modifications to the schedule concerning expert discovery absent good cause and are not presently requesting any other modifications to the schedule.

Dated: November 5, 2025

/s/ Gregory Dubinsky

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