

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

HAIMANOT ARAGAW and	*	
ABEL WOLDEMEDHEN	*	
	*	
Plaintiffs,	*	
	*	
v.	*	Civil Action No. TDC-21-1739
	*	
LEROY H. CARHART, JR., M.D., <i>et al.</i>	*	
	*	
Defendants.	*	
	*	

JOINT STATUS REPORT

Plaintiffs, Haimanot Aragaw and Abel Woldemedhen, through their attorneys, Robert R. Michael, Andrew J. Hall, and the law firm of Shadoan, Michael & Wells, LLP, Defendant Anh-Chi Dang Do, M.D., through her attorneys Michael E. Blumenfeld, Alexandra P. Moylan, and the law firm of Nelson Mullins Riley & Scarborough LLP, and Defendants Leroy H. Carhart, Jr., M.D., and AbortionClinics.Org, Inc., through their attorneys Mary Alane Downs, Steffany Bender, and the law firm of Downs, Ward, Bender, Hauptmann & Herzog, P.A., pursuant to the Court’s Scheduling Order, submit the following Joint Status Report.

DISCOVERY

- Discovery closes on October 31, 2022.
- Plaintiffs expect to file a Notice of Intent to File a Motion to Extend Discovery for the limited purpose of being able to name a rebuttal witness and/or to supplement expert opinions as to a causation defense set forth by Defendants. In recent depositions over the past 2-3 weeks, Defendants’ experts have changed their causation defense from their written reports, which requires rebuttal from Plaintiffs.
- Dr. Do intends to oppose Plaintiffs’ Notice of Intention to File a Motion to Extend Discovery. Plaintiffs should not be permitted to name rebuttal expert witnesses and/or to supplement their opinions as Defendants’ expert witnesses have not changed their causation defense from their written reports. Rather their opinions were disclosed timely and pursuant to the deadlines set by the Court’s Scheduling Order.

PENDING MOTIONS

- None

DISPOSITIVE MOTIONS

- Absent a stipulation from Defendants, Plaintiffs intend to file Motions for Partial Summary Judgment as to the affirmative defenses of contributory negligence and assumption of the risk.
- Dr. Do does not consent to Plaintiffs' request for a Stipulation regarding the affirmative defenses of contributory negligence and assumption of the risk. Dr. Do expects to file dispositive motions as to all of Plaintiffs' claims.
- Defendants Carhart, Jr., M.D., and AbortionClinics.Org, Inc. expect to file dispositive motions as to all of Plaintiffs' claims.

TRIAL

- This case is set to be tried by jury. No trial date has been set.
- Plaintiffs anticipate completing their case-in-chief within five (5) days. Plaintiffs would not consent to a Magistrate Judge conducting further proceedings in this case. Also, Plaintiffs anticipate filing several Motions *In Limine*.
- Defendants Carhart, Jr., M.D., and AbortionClinics.Org, Inc. anticipate completing their case within two (2) days. Dr. Carhart and AbortionClinics.Org, Inc. anticipate filing several Motions *In Limine*.
- Defendant Dr. Do consents to a Magistrate Judge conducting further proceedings in this case. Dr. Do anticipates completing her case within three (3) days. Dr. Do anticipates filing several Motions *in Limine*.

SETTLEMENT

- There have been no discussions regarding settlement.
- The parties are open to meaningful mediation and consent to the appointment of a Magistrate Judge for that purpose. The parties are amenable to having a private mediation with an agreed-upon mediator.

OTHER MATTERS

- None at this time.

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CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of October 2022, a copy of the foregoing Joint Status

Report was submitted electronically to:

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