

**JANET KRELL v. U.S. Government Accountability Office**

**Docket No. 07-01**

**Date Issued: July 17, 2007**

**Cite as: Krell v. GAO, Docket No. 07-01 (7/17/07)**

**Before: Steven H. Svartz, Administrative Judge**

**Headnotes:**

**Discovery**

**Extension of Time**

**Good Cause**

**ORDER**

**PERSONNEL APPEALS BOARD  
U.S. GOVERNMENT ACCOUNTABILITY OFFICE  
WASHINGTON, D.C.**

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**JANET KRELL,**

**Petitioner**

**v.**

**UNITED STATES GOVERNMENT  
ACCOUNTABILITY OFFICE,**

**Respondent**

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**Docket No. 07-01**

July 17, 2007

**ORDER**

On July 16, 2007, Petitioner filed an Unopposed Motion for an Extension of Time to Respond to Discovery Requests, and Notice of Potential Hearing Dates. By Order dated July 2, 2007, the deadline for initial discovery responses had previously been extended to July 19, 2007.

As a basis for the request, counsel for Petitioner states that her work schedule "make[s] it extremely unlikely that she can devote the time and attention necessary to complete her responses to the interrogatories and documents request by July 19<sup>th</sup>." Continued work schedule and vacation plans for August are the basis for the requested new deadline of September 7, 2007 for initial discovery responses. Counsel states that the Agency does not object to this request.

The parties are reminded that the initial Notice from the Clerk of the Board set the deadline for all discovery, in accordance with the Board's regulations, as 65 days after the Notice was served (April 20, 2007). Subsequently, an amended Petition was filed, and July 9 was set as the revised discovery deadline. See Order of May 18, 2007. Following a June 4 status conference, the discovery deadline for general witnesses was moved to August 3, 2007 and to

August 24, 2007 for expert and medical witnesses. At the June 4 conference, the schedule was also set for dispositive motions, pre-trial submissions and for the evidentiary hearing. *See* Status Conference Report and Order (June 5, 2007).

On June 8 and July 2, 2007, the undersigned Administrative Judge granted two additional requests for extensions of time in this matter.

The regulations of the Personnel Appeals Board state that “[i]t is Board policy that these rules shall be applied in a manner which expedites the processing of each case, but with due regard to the rights of all parties.” 4 C.F.R. §28.15. This policy is reiterated in the regulatory provision specifically governing the discovery process. *See* 4 C.F.R. §28.40.

Upon consideration of Petitioner’s Motion, the fact that it is unopposed, and the Board’s policy in favor of expeditious resolution of employment disputes, Petitioner’s Motion to extend the discovery deadline is hereby granted. The parties shall have up to and including Friday, September 7, 2007 to respond to initial discovery requests. Any follow-up requests must be served by September 17, 2007. **No further extensions will be granted absent exigent circumstances.**

As previously scheduled, a telephone status conference will be held on Monday, July 23, 2007 at 2:00 p.m. The parties’ proposal for a revised hearing schedule will be discussed at the conference. At that time, the revised schedule will be set for dispositive motions, pre-hearing submissions and the evidentiary hearing.

**SO ORDERED.**

Date: 7-17-07

/s/  
Steven H. Svartz  
Administrative Judge