

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
BRUNSWICK DIVISION**

EDWARD SHANE LUCAS,

Plaintiff,

v.

RYAN MULCAHY,

Defendant.

CIVIL ACTION NO.: 2:24-CV-0006

**STATUS REPORT**

With the discovery period having now concluded in the above captioned case, the Parties make the following report to the Court.

**I. DISCOVERY**

A. Is all discovery completed in this case?

Yes       No

- If “No”, please list what discovery is remaining:

Defendant’s deposition is scheduled for Wednesday, August 21. Following this deposition, fact discovery will be complete. Plaintiff has stated that he may retain an expert witness, and he has been given until August 29, 2024, to serve an expert witness report. If Plaintiff does retain an expert witness, then the parties will need to conduct expert discovery, and will seek an extension of the deadlines in the current Scheduling Order.

B. Are there any discovery issues which have been or will be brought before the Court for resolution?

Yes       No

- If “Yes”, please briefly explain:

If Plaintiff retains an expert witness, Defendant will seek an extension of the

existing expert discovery deadlines. If that cannot be achieved by consent, Defendant will file a motion seeking such an extension.

## II. SETTLEMENT

A. Have the parties made efforts to resolve this case?

Yes  No

- If “Yes”, please explain those efforts:

N/A.

B. Are the parties prepared to discuss settlement of this case with the Court at this time?

Yes  No

- If “No”, please explain:

Plaintiff’s position: Plaintiff has not taken the deposition of the Defendant yet, and until his testimony is secured and uncoiled, the Defendant will likely be inflexible to his police Conduct being a clear constitutional violation, and therefore Defendant will be unwilling to discuss the associated liability of his actions until they are made transparent to the Court.

Defendant’s position: Defendant believes that he has dispositive defenses and plans to file a motion for summary judgment at the conclusion of discovery. Defendant will not be prepared to discuss settlement of this case until such time as that motion has been ruled on.

C. Are there any third parties and/or lien holders that should be included in any settlement discussions for this case?

Yes  No

- If “Yes”, please list those parties:

N/A.

D. The Parties propose the following agreed upon dates, prior to the deadline for filing motions, for conducting a status conference. *(Please provide several dates for the Court’s consideration in scheduling. Regardless of whether the Parties seek to*

*discuss settlement, the Court may require that each party have a representative with full settlement authority present.)*

August 22, August 29, September 3–5, September 10–12, September 19, September 23–25.

### III. MOTIONS

A. The Plaintiff(s) anticipate filing the following Motions:

- None
- Motion for Summary Judgment
- Motion to Exclude Expert Testimony
- Other Motion(s) (Except for Motions in Limine), please explain:

Plaintiff intends to file a Motion to Stipulate to Agree Upon Facts.

B. The Defendant(s) anticipate filing the following Motions:

- None
- Motion for Summary Judgment
- Motion to Exclude Expert Testimony
- Other Motion(s) (Except for Motions in Limine), please explain:

N/A.

### IV. ADDITIONAL MATTERS

If there are any other matters regarding this case that the Parties seek to bring to the Court's attention at this time, please briefly explain:

N/A.

Dated: August 19, 2024

  
Counsel for Plaintiff(s)

s/ Ben T. Tuten

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Counsel for Defendant(s)