

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Jazmin Valentine, et al. v. Nurse B. Monahan, et al.

Civil No. JKB-22-2446 (D. Md. Feb. 24, 2026) · No. JKB-22-2446 · Decided February 24, 2026

SUMMARY

The United States District Court for the District of Maryland partially reopens discovery in this civil rights action to permit limited expert discovery after defense counsel changed due to a conflict of interest. The court permits each nurse and the plaintiffs to retain one expert, denies leave for the nurses to file pretrial dispositive motions, and awards plaintiffs reasonable costs associated with expert discovery. The order also establishes deadlines for expert disclosures, Rule 702 motions, motions in limine, the pretrial conference, trial, and settlement negotiations.

CASE DETAILS

COURT	United States District Court for the District of Maryland
WRITING FOR THE COURT	James K. Bredar
JURISDICTION	United States District Court for the District of Maryland
DECIDED	February 24, 2026
DOCKET	JKB-22-2446
DISPOSITION	other
PROCEDURAL POSTURE	After prior counsel for the defendant-nurses withdrew because of a non-waivable conflict of interest, newly retained defense counsel sought to reopen discovery for expert testimony and obtain leave to file pretrial dispositive motions. Plaintiffs opposed both requests. The court granted limited reopening of expert discovery, denied leave to file pretrial dispositive motions, and awarded plaintiffs reasonable costs associated with the additional expert discovery.
STANDARD OF REVIEW	Discretionary case-management and discovery rulings; the court evaluated whether reopening discovery and permitting additional dispositive motions would promote a fair trial and the truth-seeking function of the proceedings.
PRECEDENTIAL VALUE	Unpublished district-court memorandum and order; precedential status not stated

TOPICS

discovery dispute

expert testimony

sanctions

costs

civil procedure

PRACTICE AREAS

Civil procedure

Evidence

Civil rights litigation

QUESTIONS PRESENTED

1. Whether the court should reopen discovery to permit limited expert discovery after the defendant-nurses obtained new counsel.
2. Whether the defendant-nurses should receive leave to file pretrial dispositive motions after the prior deadline had passed.
3. Whether the additional costs caused by the limited reopening of discovery should be imposed on plaintiffs or defendants.
4. Whether motions to dismiss for lack of subject matter jurisdiction remain permissible despite the denial of leave to file other pretrial dispositive motions.

HOLDINGS

1. The court reopened discovery for the limited purpose of expert discovery and allowed each nurse and the plaintiffs to retain one expert.
2. The court denied the nurses' request for leave to file pretrial dispositive motions.
3. Defendants must reimburse plaintiffs for reasonable costs associated with discovery of the nurses' expert proof, including expert fees incurred during plaintiffs' depositions and reasonable legal fees associated with those depositions.
4. The denial of leave to file pretrial dispositive motions does not bar motions to dismiss for lack of subject matter jurisdiction, which may be filed at any time.

KEY QUOTATIONS

“The Nurses will not be permitted to re-litigate this case in its entirety merely because they now have new counsel.”

“the imperative is to try a case on its merits, with counsel, before a jury of one’s peers.”

“A central issue in the case will be how to evaluate the actions of the Nurses in their professional capacities. Expert testimony will shed important light on this and will be key to the jury performing its “truth-finding function.””

FACTUAL BACKGROUND

The defendant-nurses' prior counsel withdrew because her representation was compromised by a non-waivable conflict of interest. The prior attorney had not retained trial experts or filed dispositive motions, and newly retained defense counsel sought additional time to do so. The court determined that expert testimony was

important to evaluating the nurses' professional conduct but that allowing a complete relitigation of the case or belated dispositive motions would cause additional delay without advancing a fair trial.

PROCEDURAL HISTORY

The court previously permitted Michele Harper to withdraw as counsel for the defendant-nurses, vacated the trial date, and urged the nurses to obtain new counsel. After most of the nurses retained new counsel, defense counsel requested additional expert discovery and leave to file pretrial dispositive motions. The court entered this memorandum and order setting expert-discovery and pretrial deadlines, referring the matter for settlement negotiations, and allocating the additional discovery costs to defendants.

DISPOSITION

other

CASES CITED

- *Perttu v. Richards*, 605 U.S. 460, 467 (2025)
- *Atl. Coast Line R. Co. v. Truett*, 249 F.2d 215, 217 (4th Cir. 1957)
- *Hankerson v. North Carolina*, 432 U.S. 233, 241 (1977)
- *Sec. & Exch. Comm'n v. Jarkesy*, 603 U.S. 109, 121 (2024)
- *Ballard v. Wal-Mart Stores E., LP*, No. 5:17-CV-03057, 2018 WL 4964361, at *3 (S.D.W. Va. Oct. 15, 2018)