

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

USA

Plaintiff

vs.

Southeastern Okla. State University, et al. Defendant

Case No. CIV-15-324-C

OCTOBER 2016 Trial Docket

SCHEDULING ORDER

Date July 23, 2015 Judge Robin J. Cauthron Clerk Linda Goode

Appearing for Plaintiff Allan K. Townsend, Shayna Bloom, Brittany Novotny, Enya Young (phone), Gillian Weiss (phone)

Appearing for Defendant Dixie Coffee, Jeb E. Joseph

Jury Trial Demanded [checked] Non-Jury Trial

THE FOLLOWING DEADLINES ARE SET BY THE COURT

1. Motions to join additional parties to be filed by September 1, 2015.

2. Motions to amend pleadings to be filed by September 1, 2015.

3. (a) Plaintiff to file a final list of expert witness(es) in chief and submit expert reports to Defendant by June 1, 2016.*

April

(b) Defendant to file a final list of expert witness(es) in chief and submit expert reports to Plaintiff by 14 days thereafter.*

4. (a) Plaintiff to file a final list of witnesses together with addresses and brief summary of expected testimony where witness has not already been deposed by July 15, 2016.*

(c) rebuttal April 1, 2016

(d) rebuttal books thereafter

(b) Defendant to file a final list of witnesses (as described above) 14 days thereafter.*

5. (a) Plaintiff to file a final exhibit list by July 15, 2016.* Defendant to file objections to Plaintiff's final exhibit list, under Fed. R. Civ. P. 26(a)(3)(B), August 15, 2016.

(b) Defendant to file a final exhibit list by July 25, 2016.* Plaintiff to file objections to defendant's final exhibit list, under Fed. R. Civ. P. 26(a)(3)(B), by August 25, 2016.

*The listing of witnesses and exhibits shall separately state those expected to be called or used and those which may be called or used it

the need arises. Except for good cause shown, no witness shall be permitted to testify and no exhibit will be admitted in any party's case in chief unless such witness or exhibit was included in the party's filed witness or exhibit list.

6. Discovery to be completed by August 1, 2016

7. All dispositive and Daubert motions to be filed by August 1, 2016

If the deadline for dispositive motions and Daubert motions precedes the discovery deadline, the parties are expected to conduct any discovery necessary for such motions in advance of the motion deadline.

8. Trial docket October 2016**

**Trial dockets generally begin the second Tuesday of each month; however, this practice varies, particularly during holidays. The published trial docket will announce the trial setting.

The interval between the dispositive motion deadline (§ 7) and the trial docket (§ 8) is relatively inflexible. An extension of time to file or respond to a motion for summary judgment will likely affect the trial setting.

9. Designations of deposition testimony to be used at trial to be filed by October 1, 2016. Objections and counter designations to be filed by October 6, 2016

6

***In addition to filing, the parties are encouraged, but not required, to submit their proposed jury instructions or findings of fact and conclusions of law in WordPerfect format to the Clerk via the Court's designated mail box: cauthron-orders@okwd.uscourts.gov

- 10. Motions in limine to be filed 7 days prior to the pretrial report.
- 11. Requested voir dire to be filed 7 days prior to the pretrial report.
- 12. Trial briefs (optional unless otherwise ordered) to be filed 7 days prior to the pretrial report.
- 13. Requested jury instructions to be filed on or 7 days prior to the pretrial report.***
- 14. NON-JURY CASES ONLY: Proposed findings and conclusions of law to be filed no later than 7 days prior to the pretrial report.***

- 15. Any objection or response to the trial submissions referenced in 10, 11, 12, 13, or 14 to be filed within **14 days** thereafter.
- 16. The Final Pretrial Report, approved by all counsel, **and in full compliance** with Local Rules (see Appendix IV), together with a proposed order approving the report, to be submitted to the Court by October 1, 2016.

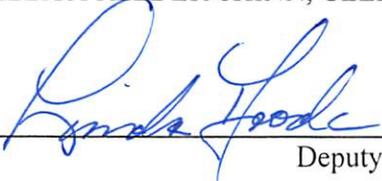
17. This case is referred to the following Court-sponsored ADR/settlement process or special trial track:

- by agreement of the parties, with the approval of the Court:
- by Order of the Court:
 - Mediation
 - Judicial Settlement Conference
 - Other _____

If the case is referred to mediation or some other form of private ADR, the process shall be completed and a report filed with the Court by the parties, stating whether the case settled, not later than _____.

- 18. Except as otherwise specifically ordered by the assigned judge, this case will not be scheduled for a judicial settlement conference unless, not later than ten days after the trial docket is published, the parties file a joint motion requesting a judicial settlement conference. The motion shall contain a certification by counsel that the parties have been advised of the motion and approve its filing. The motion shall further describe in detail the settlement efforts made and dispute resolution techniques previously used in the case.
- 19. The parties consent to trial by a Magistrate Judge.
- 20. Initial disclosures pursuant to Fed. R. Civ. P. 26 have been made _____; are excused _____; or shall be made no later than July 31, 2015.
- 21. Other: each side are limited to 10 deposes.

BY ORDER OF THE COURT
CARMELITA REEDER SHINN, CLERK

By 
Deputy Clerk