

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
AT LEXINGTON
CASE NO.: 5:18-cv-00351-KKC

NICHOLAS CHARLES BREINER

PLAINTIFF

v.

PROPOSED MODIFIED AGREED
SCHEDULING ORDER
Electronically Filed

BOARD OF EDUCATION OF MONTGOMERY COUNTY

DEFENDANT

* * * * *

Comes the Plaintiff, Nichols Charles Breiner, and the Defendant, Montgomery County Board of Education, by and through their respective counsel, and per the instructions of the Trial Judge at the May 4, 2022 Status Conference submit the following Proposed Amended Scheduling Order:

1. That all fact discovery by the parties shall be completed on or before August 30, 2022.
2. That the Plaintiff shall designate all expert witnesses and make proper Civil Rule 26.02 Disclosure, along with providing any expert witness reports, by September 30, 2022.
3. That the Defendant shall designate all expert witnesses and make proper Civil Rule 26.02 Disclosures, along with providing any expert witness reports, by October 30, 2022.
4. That the parties shall have through July 30, 2022 to amend or join any additional parties.

5. That the parties believe this matter will be ready for a final status/pretrial conference by December 30, 2022.

6. That the parties shall file dispositive motions and/or motions in limine by no later than November 30, 2022, pursuant to Rule 7.01(e)(1)(2).

7. That the parties shall mutually exchange witness lists and exhibit lists no later than 14 days prior to the final pretrial/status conference.

8. That the matter is set for Trial beginning January 30, 2023, and shall be allotted five days. Counsel should be present by 8:30 a.m.

9. That the parties shall and are encouraged to attempt to mediate and/or utilize alternative dispute resolutions either through private service or through the Offices of the United States District Court to resolve the matter if possible.

Respectfully submitted,

JOHN G. MCNEILL (KY# 46820)
Landrum & Shouse LLP
106 West Vine Street
PO Box 951
Lexington, KY 40588-0951
jmcneill@landrumshouse.com
Telephone: 859-255-2424
Facsimile: 859-233-0308

BY: /s/ JOHN G. MCNEILL
ATTORNEY FOR DEFENDANT

And

EDWARD E. DOVE
300 Lexington Building
201 West Short Street
Lexington, KY 40507

BY: /s/ EDWARD E. DOVE (w/permission)
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing has this 26th day of May, 2022, been electronically mailed to the following:

Edward E. Dove
300 Lexington Building
201 West Short Street
Lexington, KY 40507
eddove@windstream.net
Attorney for Plaintiff

Mark A. Mantooth
1225 UA 60 W
Ste. 104
Morehead, KY 40351
Mark.a.mantooth@gmail.com
Attorney for Plaintiff

BY: /s/ JOHN G. MCNEILL
ATTORNEY FOR DEFENDANT
MONTGOMERY COUNTY BOE