

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

PAUL A. EKNES-TUCKER, et al,)
)
 Plaintiffs,)
)
 v.) Case No. 2:22-cv-184-LCB-SRW
)
 STEVE MARSHALL, et al,)
)
 Defendants.)

SCHEDULING ORDER

This Scheduling Order supersedes any prior orders and governs further proceedings in this action unless modified for good cause shown.

1. **Pleadings and Parties:** No causes of action, defenses, or parties may be added after August 5, 2022. The provisions of Federal Rule of Civil Procedure 15(a) apply.

2. **Discovery Cutoff:** All discovery must be commenced in time to be completed by April 10, 2023.

3. **Mediation:** Parties are to conduct mediation within 30 days of close of discovery.

4. **Dispositive Motions:** All potentially dispositive motions, including *Daubert* motions, must be filed by May 15, 2023. **Movant must file any briefs and supporting evidence with the motion for summary judgment in order for the submission to be deemed timely.** Thereafter, the court will issue an order establishing deadlines for submission of evidentiary materials and briefs in opposition

to, and in reply. ***Nota bene:*** All potentially dispositive motions *must* comply with all requirements of the Appendix attached to the “Initial Order Governing All Further Proceedings” that was entered in this action.

5. **Expert Testimony:** Unless modified by court order for good cause shown, the disclosures of expert witnesses — including a complete report under Fed.R.Civ.P. 26(a)(2)(B) from any specially retained or employed expert — are due:

From plaintiff by November 23, 2022.

From defendant by January 18, 2023.

6. **Final Lists:** Lists of trial witnesses and exhibits must be filed by July 14, 2023. Any objections to such lists, including objections under Federal Rule of Civil Procedure 26(a)(3), must be filed within fourteen days thereafter.

7. **Trial:** The parties shall be ready for trial by August, 2023.

8. **Marking of Exhibits.** Each party that anticipates offering as substantive evidence as many as six (6) exhibits shall premark exhibits in advance of trial, using exhibit labels and lists available from the Clerk of Court. By the time of trial, a copy of the exhibit list shall be served and filed, with exhibits being made available for inspection by opposing counsel. Presentation of evidence at trial will not ordinarily be interrupted for opposing counsel to examine a document that has been so marked and made available for inspection.

Except as expressly modified by the above, the stipulations, limitations, deadlines and other agreements set forth in the report of the parties shall apply in this case.

Additionally, the Court **SETS** a telephone status conference for **10:30 a.m. on February 13, 2023.** Dial-in instructions will be emailed to counsel prior to the telephone conference. The parties shall be prepared to discuss all matters set forth in the Fed. R. Civ. P. 16(c)(2), including: (1) the status of the case, (2) the status of settlement negotiations, including the last demand and offer exchanged between the parties, and (3) setting additional deadlines.

DONE and **ORDERED** this July 15, 2022.



LILES C. BURKE
U.S. DISTRICT JUDGE