

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.

JOINT MODIFIED SCHEDULING ORDER
Electronically Filed

BOARD OF EDUCATION OF MONTGOMERY COUNTY

DEFENDANT

* * * * *

Comes the Plaintiff and the Defendant per the hearing of the United States' Magistrate Court on April 12, 2023 (document number 42) and files their modification to the existing Scheduling Order on the basis that the parties, for the reasons set out during the hearing, are unable to meet the timeline for any Jury Trial in this matter on May 30, 2023 at 1:00 pm EST and to provide the Court with a proposed Scheduling Order prior to the Status Conference on May 15, 2023 at 1:00 pm.

The parties has attached their proposed Amended Scheduling Order with this pleading.

WHEREFORE, the Plaintiff and the Defendant, jointly, request that the Court enter the Modified Scheduling Order or an Order reasonably similar to the same.

Respectfully submitted,

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

BY: Edward E Dove w/perm
ATTORNEY FOR PLAINTIFF
EDWARD E. DOVE 

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing has this 9th day of May, 2023, 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

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

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 SCHEDULING ORDER
Electronically Filed

BOARD OF EDUCATION OF MONTGOMERY COUNTY

DEFENDANT

* * * * *

Pursuant to the Conference with the Magistrate Judge on April 12, 2023 and after a Joint Conference by and between Counsel for the Plaintiff and Counsel for the Defendant, the parties have submitted a Proposed Amended Scheduling Order, suggesting amending Document Number 37 as follows:

1. That all fact Discovery by the parties shall be completed on or before August 30, 2023.
2. All Expert Discovery shall be completed by December 30, 2023.
3. That the Plaintiffs shall designate all Expert Witnesses and make proper Civil Rule 26.02 Disclosure along with providing any Expert Witness reports by September 30, 2023.
4. That the Defendants shall designate all Expert Witness and make proper Civil Rule 26.02 Disclosures along with providing any Expert Witness reports by October 30, 2023.
5. That the parties shall have up to and including September 15, 2023 to Amend or join any additional parties.

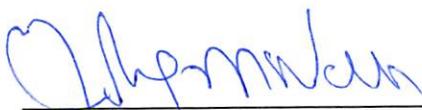
6. That all Dispositive Motions or Motions in Limine shall be filed no later than January 10, 2024, pursuant to Civil Rule 7.01 c (1)(2) with a response or reply time as per the local rules set forth in 7.1 c (1)(2).
7. The Pre-Trial Conference before the Trial Judge shall be conducted as set out at the convenience of the Court at Lexington, Kentucky.
8. The Jury Trial, currently scheduled for May 30, 2023 at 1:00 pm EST shall be continued and shall be set at the convenience of the Court pursuant to this Modified Scheduling Order. It is estimated to last for 5 days.
9. The parties shall and are encouraged to attempt to Mediate and/or utilize alternative dispute resolution either through private services or through the United States District Court to resolve the matter if possible.

Dated this ____ day of _____, 2023.

BY:

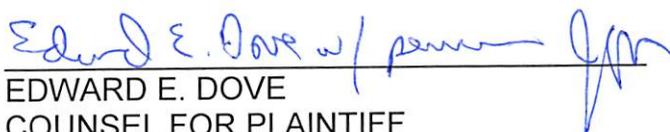
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF KENTUCKY

PREPARED BY:



JOHN G. MCNEILL
COUNSEL FOR DEFENDANT

HAVE SEEN:



EDWARD E. DOVE
COUNSEL FOR PLAINTIFF