

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**LITTLE ROCK SCHOOL DISTRICT,  
*et al.***

**PLAINTIFFS**

**v.**

**No. 4:82-cv-866-DPM**

**NORTH LITTLE ROCK SCHOOL  
DISTRICT, *et al.***

**DEFENDANTS**

**LORENE JOSHUA, *et al.***

**INTERVENORS**

**ORDER**

The Court appreciates the parties' proposed timetables for handling some PCSSD unitary-status issues and the motion for release. The Court adopts them in large measure, with adjustments so that work on one doesn't interfere with work on the other and to accommodate the Court's other obligations. The Court notes Joshua's suggestion that the release issues should be resolved first. The Court concludes, however, that addressing the PCSSD issues first, on a slightly different schedule than planned, is manageable. Here is the schedule on both matters.

## 1. PCSSD Unitary-Status Issues

- Discovery ..... 1 May 2013 to 31 July 2013
- Motion for Partial Release ..... 12 July 2013
- Response to Motion for Partial Release ..... 26 July 2013
- Pretrial Conference ..... 6 August 2013 (1:30 p.m.)
- Special Education
  - PCSSD Exhibit and Witness Lists ..... 6 August 2013
  - Joshua Exhibit and Witness Lists ..... 12 August 2013
  - Hearing ..... 20-22 August 2013
- One-Race Class Reports
  - PCSSD Exhibit and Witness Lists ..... 19 August 2013
  - Joshua Exhibit and Witness Lists ..... 26 August 2013
  - Hearing ..... 3-5 September 2013
- Staffing and Personnel
  - PCSSD Exhibit and Witness Lists .... 3 September 2013
  - Joshua Exhibit and Witness Lists .... 9 September 2013
  - Hearing ..... 17-19 September 2013

- Secondary Gifted and Talented, Pre-AP and AP Honors Issues
  - PCSSD Exhibit and Witness Lists ... 16 September 2013
  - Joshua Exhibit and Witness Lists .... 23 September 2013
  - Hearing ..... 1-3 October 2013
- Trial Briefs and Proposed Findings and Conclusions ..... 18 October 2013

The Court encourages live testimony. If that is impracticable, and if using depositions cannot be avoided, then counsel must meet, confer, and make best efforts to resolve any disputes about the particulars before we get to the hearings. If disagreements remain, the Court will resolve them. The parties should file a joint report about any such disputes, see infra note \* for details. Any joint report should be filed as far in advance of the relevant hearing as possible. Trial briefs and proposed findings and conclusions should be as spare and pointed as possible.

## 2. Release Issues

- Discovery ..... 1 May 2013 to 31 August 2013
- State Discloses Experts ..... 31 May 2013
- All Other Parties Disclose Experts ..... 14 June 2013
- Deposition Designations Exchanged\* ..... 1 October 2013
- Motions in Limine ..... 25 October 2013
- Trial Briefs ..... 1 November 2013
- Pre-Trial Disclosure Sheets ..... 1 November 2013
- Joint Report on Any Disputed  
Deposition Designations ..... 1 November 2013

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The Court strongly encourages the parties to use live testimony, rather than testimony by deposition, at trial. If the parties nonetheless need to use deposition testimony, then they must follow the following procedure. Thirty days before Local Rule 26.2 pre-trial disclosure sheets are due, the parties should exchange deposition designations. As soon as practicable thereafter, counsel must meet and confer in person. They should try hard to agree on what deposition testimony will be presented at trial and resolve any objections. If any dispute or objection remains unresolved, then the parties should file a joint report explaining the dispute on the same date pre-trial disclosure sheets are due. The parties must certify that they met and conferred in person but failed to resolve the disputed issue. The parties should also deliver to chambers a paper copy of the entire transcript of any deposition involved in any dispute.

- Responses to Motions in Limine ..... 6 November 2013
- Responding Trial Briefs ..... 13 November 2013
- Pretrial Conference ..... 22 November 2013 (9:30 a.m.)
- Trial ..... 9 December 2013–20 December 2013

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

5 April 2013