

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

	:	
NATE DOUGLAS, THOMAS DERICO, LISA,	:	Civil No. 4:09-CV-0652-SWW
SMITH and LEROY ROBINSON, individually	:	
and on behalf of all persons similarly situated,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
FIRST STUDENT, INC.,	:	
	:	
Defendant.	:	
	:	

ORDER

Before the Court is the parties’ joint motion for an order establishing discovery and motions deadlines. Upon consideration of the parties’ motion and the representations made therein, the Court **GRANTS** the parties’ joint motion [docket entry 146]. The parties shall comply with the following deadlines:

- a. Plaintiffs shall have until December 31, 2011, to complete the depositions of Karen Springs, Dwayne Holmes, and Willie Abson.
- b. Motions for summary judgment, as well as Plaintiffs’ motion for class certification and Defendant’s motion for decertification of the FLSA Class, as well as all expert reports of both sides on the issue of liability shall be due by February 1, 2012. Oppositions briefs and rebuttal expert reports on the issue of liability shall be due by March 1, 2012. Reply briefs shall be filed by March 15, 2012.
- c. Expert reports concerning the issue of damages shall be due thirty days after the Court decides Plaintiffs’ motion for class certification and Defendant’s motion for decertification of the FLSA Class. The parties may serve rebuttal expert reports

concerning the issue of damages twenty-one days after the initial reports are served.

- d. The parties may subpoena documents from and depose each others' experts before rebuttal expert reports are due, both with respect to liability and damages experts.
- e. All motions to exclude experts including pursuant to *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579 (1993), shall be filed ten days after the service of rebuttal expert reports concerning the issue of damages. Opposition briefs shall be filed within fourteen days; reply briefs shall be filed within seven days.
- f. All motions *in limine* shall be filed 10 calendar days prior to trial.
- g. The Court shall set a trial date after it decides motions for summary judgment, Plaintiffs' motion for class certification and Defendant's motion for decertification of the FLSA Class.

IT IS SO ORDERED this 2nd day of December, 2011.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE