

1 Within twenty (20) days after the designation of expert
2 witnesses, any party may designate a supplemental list of expert
3 witnesses who will express an opinion on a subject covered by an
4 expert designated by an adverse party. The right to designate a
5 supplemental expert for rebuttal purposes only shall apply to a
6 party who has not previously disclosed an expert witness on the
7 date set for expert witness disclosure by this Pretrial
8 Scheduling Order.

9 For purposes of this Pretrial Scheduling Order, an "expert"
10 is any person who may be used at trial to present evidence under
11 Rules 702, 703, and 705 of the Federal Rules of Evidence, which
12 include both "percipient experts" (persons who, because of their
13 expertise, have rendered expert opinions in the normal course of
14 their work duties or observations pertinent to the issues in the
15 case) and "retained experts" (persons specifically designated by
16 a party to be a testifying expert for the purposes of
17 litigation).

18 Each party shall identify whether a disclosed expert is
19 percipient, retained, or both. It will be assumed that a party
20 designating a retained expert has acquired the express permission
21 of the witness to be so listed. Parties designating percipient
22 experts must state in the designation who is responsible for
23 arranging the deposition of such persons.

24 All experts designated are to be fully prepared at the time
25 of designation to render an informed opinion, and give their
26 bases for their opinion, so that they will be able to give full
27 and complete testimony at any deposition taken by the opposing
28 party.

1 VI. CLASS CERTIFICATION

2 The Motion for Class Certification shall be filed by **July**
3 **28, 2015**. The parties are responsible for ensuring that all
4 motions are filed to allow for proper notice of the hearing under
5 the Federal Rules of Civil Procedure and/or Local Rules. Local
6 Rule 230 governs the calendaring and procedures of civil motions
7 with the addition that when the last day for filing an opposition
8 brief falls on a legal holiday, the opposition brief shall be
9 filed on the last court day immediately preceding the legal
10 holiday.

11 Failure to comply with Local Rule 230(c), may be deemed
12 consent to the motion and the Court may dispose of the motion
13 summarily.

14 VII. POST-CERTIFICATION CASE ACTIVITY


15 All other necessary dates and deadlines, including dates for
16 the Final Pretrial Conference and Trial, along with all deadlines
17 associated therewith, will be set by a Supplemental Pretrial
18 Scheduling Order to be issued following the Class Certification
19 hearing.

20 VIII. OBJECTIONS TO PRETRIAL SCHEDULING ORDER

21 This Pretrial Scheduling Order will become final without
22 further order of the Court unless objections are filed within
23 *fourteen* (14) days of service of this Order.

24 IT IS SO ORDERED.

25 DATED: September 8, 2014

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27 _____
28 Troy L. Nunley
United States District Judge