

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00968-REB-CBS
(Consolidated with Civil Action Nos. 07-cv-00971-REB-CBS, 07-cv-01087-REB-CBS, 08-cv-02298-REB-CBS and 08-cv-02437-REB-CBS)

TRUDIE M. ISKOWITZ, *et al.*,

Plaintiffs,

v.

CESSNA AIRCRAFT COMPANY, *et al.*,

Defendants.

ORDER LIFTING STAY AND AMENDING SCHEDULING ORDER

The Court, having reviewed the Consent Order Lifting Stay issued by the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division, submitted to this Court by Plaintiff Nina Winston (see CM/ECF docket nos. 113 and 113-2, filed 7/20/90), and the Court further having ordered the parties to confer on the submission of a Final Discovery Schedule and the parties having submitted a Proposed Agreed Scheduling Order for the Court's consideration,

IT IS ORDERED:

1. All previous orders staying discovery are **VACATED**.
2. **The Final Discovery Schedule is as follows:**
 - a. Expert Witness Disclosure:
 - (1) Defendants, with the exception of Defendant Goodrich Corporation (Goodrich) and Defendant's in *Wightman v. U.S.*, No. 08-cv-02437-REB-CBS, shall designate rebuttal experts and

provide opposing counsel with all information specified in Fed. R. Civ. P. 26(a)(2) by October 15, 2009.

(2) Defendant Goodrich shall designate, if necessary, rebuttal experts and provide opposing counsel with all information specified in Fed. R. Civ. P. 26(a)(2) by November 12, 2009.

(3) Plaintiffs, with exception of *Wightman v. U.S.*, No. 08-cv-02437-REB-CBS, shall designate rebuttal experts and provide opposing counsel with all information specified in Fed. R. Civ. P. 26(a)(2) by December 1, 2009.

b. Discovery Cut-Off: March 1, 2010.

c. Dispositive Motion Deadline: March 15, 2010.

d. The Parties anticipate that this will be a trial of 30 trial days.

In *Wightman v. U.S.*, No. 08-cv-02437-REB-CBS:

(1) Parties Rule 26(a)(1) Initial Disclosures shall be made by Sept. 8, 2009.

(2) Plaintiffs' Fed. R. Civ. P. 26(a)(2) expert disclosure regarding damages by Dec. 8, 2009.

(3) Defense Fed. R. Civ. P. 26(a)(2) expert disclosure regarding damages by Jan. 8, 2010.

3. The deadline for filing any motions pertaining to expert witness testimony pursuant to Fed. R. Evid. 702 shall be March 1, 2010.

4. The Court notes that the following motions in these consolidated actions are fully briefed and pending:

a. Defendant Cessna Aircraft Company's Motion to Dismiss, filed in

Martinair v. Cessna, 08-cv-02298-REB-CBS (CM/ECF docket no. 13, filed 11/19/08);

- b. Cessna Aircraft Company's Motion to Consolidate, filed in *Jean M. Wightman, personal representative of the Estate of Jeffrey S. Wightman, v. Cessna Aircraft Company*, Civil Action No. 09-cv-00835-CMA-MEH (CM/ECF docket no. 106, filed 5/04/09);
- c. Cessna Aircraft Company's Motion to Consolidate, filed in *Catherine S. Walton, personal representative of the Estate of Bruce Walton, v. Cessna Aircraft Company*, Civil Action No. 09-cv-01145-MSK-MEH (CM/ECF docket no. 107, filed 6/02/09).

- 5. The scheduling conference set for September 2, 2009 is VACATED.

DATED at Denver, Colorado, this 1st day of September, 2009.

BY THE COURT:

s/Craig B. Shaffer
Craig B. Shaffer
United States Magistrate Judge