

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO. 07-21221-CIV-ALTONAGA/Turnoff

RENEE BLASZKOWSKI, et al.,

Plaintiffs,

vs.

MARS INC., et al.,

Defendants.

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**ORDER SETTING TRIAL AND PRE-TRIAL SCHEDULE,  
REQUIRING MEDIATION, AND REFERRING CERTAIN  
MOTIONS TO MAGISTRATE JUDGE**

**THIS CAUSE** is set for trial during the Court's two-week trial calendar beginning on **May 25, 2009**. Calendar call will be held at **9:00 a.m. on Tuesday, May 19, 2009**. No pre-trial conference will be held unless a party requests one no later than 30 days before the calendar call and the Court determines that one is necessary. The parties shall adhere to the following schedule:

**July 13, 2007** Plaintiffs shall file their first amended complaint. All discovery shall be stayed pending a decision on Defendants' motion to dismiss the amended complaint, assuming the parties have reached an agreement regarding preservation of the evidence. Defendants shall attempt to file one all-inclusive motion to dismiss the amended pleading, which motion may exceed the page limitation. Plaintiffs' response thereto, and Defendants' reply memorandum(a) may similarly exceed the applicable page limitations.

**November 16, 2007** All motions to amend pleadings or join parties are filed.

**January 11, 2008** Plaintiffs shall file their motion for class certification.

**May 30, 2008** Parties exchange expert witness summaries and reports required by Local Rule 16.1.K.

**June 30, 2008** Parties exchange rebuttal expert witness summaries and reports required by Local Rule 16.1K.

**July 11, 2008** All fact discovery is completed.

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**September 1, 2008** The parties shall select a mediator certified under Local Rule 16.2.B, shall schedule a time, date and place for mediation, and shall jointly **file a proposed order scheduling mediation** in the form specified by Local Rule 16.2.H. If the parties cannot agree on a mediator, they shall notify the Clerk in writing as soon as possible, and the Clerk shall designate a certified mediator on a blind rotation basis. Counsel for all parties shall familiarize themselves with and adhere to all provisions of Local Rule 16.2. Within **five (5) days** of mediation, the parties are required to file a mediation report with the Court.

**September 19, 2008** All expert discovery is completed. Plaintiffs' experts shall be deposed before Defendants' experts are deposed.

**October 1, 2008** Parties must have completed mediation and filed a mediation report.

**November 5, 2008** All pre-trial motions other than motions *in limine* are filed.

**April 3, 2009** Parties submit joint pre-trial stipulation and motions *in limine*.

**April 30, 2009** Parties submit proposed jury instructions.

Pursuant to 28 U.S.C. § 636 and this District's Magistrate Judge Rules, all discovery motions and non-dispositive motions filed pursuant to Federal Rules of Civil Procedure 12, 13 and 14 are referred to Magistrate Judge William C. Turnoff.

The parties may stipulate to extend the time to answer interrogatories, produce documents, and answer requests for admissions. The parties shall not file with the Court notices or motions memorializing any such stipulation unless the stipulation interferes with the deadlines set forth above. Stipulations that would so interfere may be made only with the Court's approval. *See* Rule 29, Fed. R. Civ. P.. In addition to the documents enumerated in Local Rule 26.1.B., the parties shall not file notices of deposition with the Court. Strict compliance with the Local Rules is expected, particularly with regard to motion practice. *See* Local Rule 7.1.

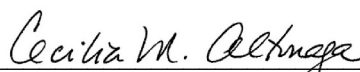
The parties shall submit their proposed jury instructions jointly, though they need not agree on each proposed instruction. Where the parties do not agree on a proposed instruction, that

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instruction shall be set forth in bold type. Instructions proposed only by a plaintiff shall be underlined. Instructions proposed only by a defendant shall be italicized. Every instruction must be supported by citation to authority. The parties shall use as a guide the Eleventh Circuit Pattern Jury Instructions for Civil Cases, including the directions to counsel contained therein. Proposed jury instructions, in typed form, including substantive charges and defenses, shall be submitted to the court prior to Calendar Call, in Word Perfect format, via e-mail to [altonaga@flsd.uscourts.gov](mailto:altonaga@flsd.uscourts.gov). Instructions for filing proposed documents may be viewed at <http://www.flsd.uscourts.gov>.

Each exhibit must be labeled in accordance with the exhibit list in the joint pre-trial stipulation and shall also bear the case number of this action.

**DONE AND ORDERED** in Chambers at Miami, Florida, this 6th day of July, 2007.

  
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**CECILIA M. ALTONAGA**  
**UNITED STATES DISTRICT JUDGE**

cc: Magistrate Judge William C. Turnoff  
counsel of record