

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

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

RENEE BLASZKOWSKI, *et. al.*,
individually and on behalf of
others similarly situated,

Plaintiffs,

vs.

MARS, INCORPORATED, *et al.*,

Defendants.

[PROPOSED] AMENDED ORDER SETTING TRIAL AND PRE-TRIAL SCHEDULE,
REQUIRING MEDIATION, AND REFERRING CERTAIN
MOTIONS TO MAGISTRATE

THIS CAUSE is set for trial during the Court's two-week trial calendar beginning on **November 9, 2009**. Calendar call will be held at **9:00 a.m. on _____, 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:

November 15, 2008 Plaintiffs shall file their motion for class certification.

March 20, 2009 Parties exchange expert witness summaries and reports required by Local Rule 16.1.K.

April 10, 2009 Parties exchange rebuttal expert witness summaries and reports required by Local Rule 16.1K.

February 9, 2009 All fact discovery is completed.

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February 2, 2009 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.

June 15, 2009 All expert discovery is completed. Plaintiffs' experts shall be deposed before Defendants' experts are deposed.

February 23, 2009 Parties must have completed mediation and filed a mediation report.

August 14, 2009 All pre-trial motions other than motions *in limine* are filed.

October 5, 2009 Parties submit joint pre-trial stipulation and motions *in limine*.

October 19, 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 Stephen T. Brown.

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,

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that 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. 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 ____ day of April, 2008.

CECILIA M. ALTONAGA
UNITED STATES DISTRICT JUDGE

cc: Magistrate Judge Stephen T. Brown
counsel of record