

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

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|---------------------------------------|---|-----------|
| JOHN PATRICK SCHRECKENGAST, and |) | |
| ANDREA SCHRECKENGAST |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CV416-038 |
| |) | |
| CHARLES S. CAROLLO, individually, and |) | |
| LANDSTAR INWAY, INC., |) | |
| |) | |
| Defendants. |) | |

ORDER

Once more the parties have come before the Court with evidentiary issues. Doc. 175. Trial of this auto-wreck/personal injury case was originally scheduled to begin in June, but was continued until October 30th to allow plaintiffs to develop additional injury evidence. Docs. 141 & 159. After further scheduling difficulties, the Court directed the parties to attempt a negotiated resolution and inform the Court of their success. Doc. 163. After a month passed without word, the Court reiterated its instruction. Doc. 168. The parties complied, informing the Court that they anticipated “no new motions . . . at this time.” Doc. 170. Apparently that anticipation was premature.

Defendants’ current motion alleges that plaintiffs have, again,

sought to introduce undisclosed evidence with trial scheduled to start in less than a month.¹ See doc. 175 at 7. They further allege that counsel misrepresented plaintiffs' efforts to schedule the deposition of their late-disclosed witness. *Id.* at 12. Those are serious allegations.

Since the scheduled trial date in this case is fast approaching, and it appears that multiple evidentiary motions may have to be resolved, the ordinary briefing schedule imposed by the Court's Local Rules cannot be observed. All motions *in limine* to be resolved before the October 30, 2017 trial date must be filed no later than Friday, October 13, 2017; responses to such motions, if any, must be filed no later than Wednesday, October 18, 2017; and any notice of a party's intent to reply must be filed as soon as possible thereafter, but any such reply must be filed no later than Monday, October 23, 2017. If plaintiffs wish to oppose this motion, to the extent that it seeks to exclude allegedly undisclosed documentary evidence, they must do so by no later than close of business on Friday,

¹ Defendants' motion also suggests that plaintiffs have requested additional records from Defendant Carollo, and they promise *another* motion *in limine* in response to that request. Doc. 175 at 10 n. 2. This flurry of motions appears *one week* after the parties' *joint* representation that no further motions were anticipated. Doc. 170 at 2. While it will not anticipate the resolution of these issues until plaintiffs have had an opportunity to be heard, the Court is disappointed by the general lack of coordination and candor evidenced by the current state of this case.

October 13, 2017. If they choose to withdraw the disputed exhibits, but wish to oppose defendants' request for fees, they must so inform the Court by close of business on Friday, October 13, 2017, but may abide the ordinary briefing schedule imposed by Local Rule 7.5 for filing their opposition memo.

SO ORDERED, this 10th day of October, 2017.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA