

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

MONSOUR’S, INC.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 05-1204-JTM
	)	
MENU MAKER FOODS, INC.,	)	
	)	
Defendant.	)	
_____	)	

SCHEDULING ORDER

On June 14, 2007, the court conducted a status conference by telephone in this case. Plaintiff appeared through counsel Dustin L. DeVaughn and Richard W. James. Defendant appeared through counsel John V. Wachtel.

After consultation with the parties, the court enters the following scheduling order:

1. All discovery shall be completed by September 21, 2007.
2. Not later than September 21, 2007, the parties shall prepare one proposed final pretrial order and submit it to the court. The proposed pretrial order shall not be filed with the Clerk’s office.
3. All dispositive motions shall be filed by October 22, 2007. Responses shall be filed by November 14, 2007; replies shall be filed by December 7, 2007.
4. Final witness & exhibit disclosures are due April 8, 2008.
5. Objections to final witness & exhibit disclosures are due April 15, 2008.
6. Motions in limine shall be filed by April 16, 2008.
7. Proposed jury instructions shall be filed by April 16, 2008.
8. Exhibits shall be marked by April 22, 2008.

9. Objections to deposition designations, along with any counter-designations shall be filed by April 22, 2008.
10. In limine conference is set on April 23, 2008, at 2:30 p.m. before District Judge J. Thomas Marten.
11. Objections to counter-designations of deposition testimony are due April 24, 2008.
12. Submission of disputes concerning designated deposition testimony are due April 28, 2008.
13. Jury trial shall commence at 9:00 a.m. on April 29, 2008, before District Judge J. Thomas Marten. The parties expect the trial of this case to take approximately 10 days.

IT IS SO ORDERED this 25<sup>th</sup> day of June, 2007, that defendant's second motion to continue trial (dkt. no. 121) is granted. Defendant's motion in limine (dkt. no. 111) and motion for summary judgment (dkt. no. 117) are denied without prejudice.

s/ J. Thomas Marten  
J. THOMAS MARTEN, JUDGE