

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

WATCHOUS ENTERPRISES, L.L.C.,

Plaintiff,

v.

Case No. 16-1432-JTM

PACIFIC NATIONAL CAPITAL, et al.,

Defendants.

THIRD AMENDED SCHEDULING ORDER

This case comes before the court on plaintiff's motion (ECF No. 136) to amend the scheduling orders entered in this case (ECF Nos. 19, 28, and 89). Pursuant to D. Kan. Rule 6.1(d), the court set a deadline of April 4, 2018, for defendants to respond to the motion (ECF No. 137). No timely response has been filed.

D. Kan. Rule 7.4 provides: "If a responsive brief or memorandum is not filed within the D. Kan. Rule 6.1(d) time requirements, the court will consider and decided the motion as an uncontested motion. Ordinarily, the court will grant the motion without further notice." The court could grant the motion solely on the basis that it is unopposed. However, the court also finds that good cause has been shown for granting the proposed extensions. Accordingly, the motion is granted and the scheduling order is amended as follows:

- a. All discovery shall be commenced or served in time to be completed by **September 14, 2018.**

b. Disclosures required by Fed. R. Civ. P. 26(a)(2), including reports from retained experts, are due from plaintiff by **June 1, 2018**, and from defendants by **July 13, 2018**. Disclosures and reports by any rebuttal experts are due by **August 13, 2018**.

c. The final pretrial conference is rescheduled from August 17, 2018, to **October 2, 2018, at 9:00 a.m.** in the U.S. Courthouse, Room 223, 500 State Avenue, Kansas City, Kansas. Unless otherwise notified, the undersigned magistrate judge will conduct the conference. No later than **September 21, 2018**, defendants shall submit the parties' proposed pretrial order as an attachment to an e-mail directed to *ksd\_ohara\_chambers@ksd.uscourts.gov*. It shall be in the form available on the court's website (*www.ksd.uscourts.gov*), and the parties shall affix their signatures according to the procedures governing multiple signatures set forth in paragraphs II(C)(2)(a) & (b) of the *Administrative Procedures for Filing, Signing, and Verifying Pleadings and Papers by Electronic Means in Civil Cases*.

d. All dispositive motions shall be filed no later than **October 15, 2018**. Any response shall be filed by **November 5, 2018**, and any reply shall be filed by **November 19, 2018**.

e. Motions challenging the admissibility of expert testimony are due by **January 22, 2019**.

f. In limine motions and proposed jury instructions are due by **March 6, 2019**.

g. The limine conference will be held by telephone on **March 13, 2019, at 2:30 p.m.**

h. This case is re-set for trial on a trial calendar that will begin on **March 19, 2019.**

All other provisions of the original and amended scheduling orders shall remain in effect. The schedule adopted in this third amended scheduling order shall not be modified except by leave of court upon a showing of good cause.

IT IS SO ORDERED.

Dated April 5, 2018, at Kansas City, Kansas.

s/ James P. O'Hara  
James P. O'Hara  
U.S. Magistrate Judge