

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

HOUSTON SPECIALTY INSURANCE
COMPANY, AS SUBROGEE FOR MARQUIS
MEDICAL, L.L.C.

CIVIL ACTION

NUMBER 14-576-BAJ-SCR

VERSUS

FREIGHTZ TRANSPORTATION, INC.,
ET AL

SCHEDULING ORDER
(INCLUDING PRETRIAL CONFERENCE AND TRIAL DATES)

Considering the information in the Joint Rule 26(f) Status Report,¹ the following scheduling order is entered pursuant to Rule 16, Fed.R.Civ.P.

- A. All fact discovery shall be completed, and motions to compel fact discovery shall be filed, March 18, 2016.
- B. The parties shall make the initial disclosures required by Rule 26(a)(1), Fed.R.Civ.P., by October 2, 2015.
- C. Motions to amend the pleadings to add new parties or claims shall be filed by October 19, 2015.
- D. Plaintiff shall make the disclosure of persons who may be used at trial to present evidence under Rules 702, 703 or 705, Fed.R.Evid., by February 18, 2016. Defendants shall disclose such persons by March 18, 2016.
- E. Any person who will offer expert testimony for the plaintiff who is required by Rule 26(a)(2)(B), Fed.R.Civ.P., to produce a report shall produce such report by February 18, 2016. Defendants shall produce any required expert reports by March 18, 2016.
- F. Expert discovery, including depositions of expert witnesses, shall be completed by April 18, 2016.

¹ Record document number 40.

- G. Dispositive motions **and Daubert motions** shall be filed by May 2, 2016.
- H. The parties shall file the final pretrial order by September 2, 2016. (Refer to the court's website for the district judge's pretrial order form.)²
- I. The final pretrial conference is set for September 15, 2016 at 3:30 p.m., in the chambers of the district judge.
- J. Motions in limine shall be filed by September 23, 2016. Response to motions in limine shall be filed by October 14, 2016.
- K. The parties shall file an affidavit describing their settlement efforts by October 28, 2016.
- L. Proposed voir dire questions, jury charges, jury interrogatories (verdict form), and trial briefs shall be filed by November 25, 2016.
- M. The case is assigned for a jury trial on January 23 - 24, 2017, at **8:30 a.m.** in Courtroom 2.

The time limits set forth in this order shall not be modified except by leave of court upon a showing of good cause. Joint, agreed or unopposed motions to extend scheduling order deadlines will not be granted automatically. All motions to extend scheduling order deadlines must be supported by facts sufficient to find good cause as required by Rule 16, Fed.R.Civ.P. A second and any subsequent motion to extend the scheduling order deadlines must be supported with detailed information describing the discovery already completed, what necessary discovery remains, the parties efforts to complete the remaining discovery by the deadline, and

² The instructions can be found on the court's internet website at <http://www.lamd.uscourts.gov/case-related-forms>. Strict compliance with these instructions will be required.

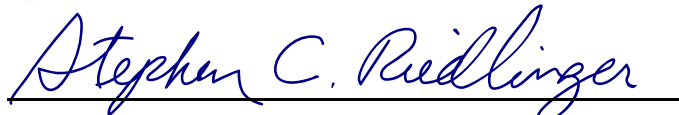
any additional information showing that the parties have diligently pursued their discovery. Motions for reconsideration by the magistrate judge of rulings granting or denying extensions of scheduling order deadlines will be considered as motions under either Rule 59 or Rule 60, Fed.R.Civ.P., depending on when the motion for reconsideration is filed. See *Lavespere v. Niagra Machine Tool Works*, 910 F.2d 167 (5th Cir. 1990), cert. denied, 510 U.S. 859, 114 S.Ct. 171 (1993).

Motions to extend or otherwise change the deadlines in items H - M (pretrial order, pretrial conference, motions in limine, settlement affidavit, voir dire questions/jury charges/jury interrogatories (verdict form)/trial briefs, and trial date) shall be directed to the district judge.

Additionally, counsel are to confer promptly to discuss a rational commercial solution to this litigation. Within 15 days of expiration of the discovery deadline in "A" above, plaintiff is to convey to defendant an offer of settlement or inform defendant that no settlement is possible. Defendant is to respond within 15 days from receipt of such offer.

IT IS FURTHER ORDERED that the scheduling conference set for September 18, 2015 is canceled.

Baton Rouge, Louisiana, September 11, 2015.



STEPHEN C. RIEDLINGER
UNITED STATES MAGISTRATE JUDGE