

EXHIBIT 1

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

S. VICTOR WHITMILL,)	
)	
Plaintiff,)	Civil Action No. 4:11-cv-752
)	
v.)	Judge Catherine D. Perry
)	
WARNER BROS. ENTERTAINMENT, INC.)	
)	
Defendant.)	

JOINT PROPOSED SCHEDULING PLAN

Pursuant to Fed. R. Civ. P. 26(f) and this Court's May 24, 2011 Order, attorneys for the parties conferred as to scheduling and discovery plans and agreed to the following expedited schedule:

1. Discovery Plan:

a. Fact Discovery:

- (i) Exchange Rule 26(a)(1) disclosures by June 22, 2011.
- (ii) Issue written discovery by June 22, 2011.
- (iii) Close of fact discovery is October 21, 2011.

b. Expert Discovery:

- (i) Disclose expert reports of party bearing burden of proof by October 21, 2011.
- (ii) Disclose expert reports of party without the burden of proof by November 21, 2011.
- (iii) Disclose any rebuttal expert reports by December 12, 2011.
- (iv) Close of expert discovery is January 20, 2012.

2. **Trial:**

- a. Parties will exchange witness and exhibit lists and the case will be ready for a jury trial by February 20, 2012.
- b. Parties expect that the length of the jury trial will be 1 week.

AGREED:

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