

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION**

KEVIN BUDD, RAY LEE, MARTIN )  
MANGAN, SHIRLEY MANGAN and )  
KENNETH WALSH on behalf of )  
themselves and all others similarly )  
situated, )

Plaintiffs, )

vs. )

CARING FOR MONTANANS, INC., )  
BLUE CROSS BLUE SHIELD of )  
MONTANA, INC., HEALTH CARE )  
SERVICES CORPORATION, INC., )  
and JOHN DOES 3 through 20, )

Defendants. )

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TYSON S. PALLISTER, )

Plaintiff, )

vs. )

CARING FOR MONTANANS, INC., )  
BLUE CROSS BLUE SHIELD of )  
MONTANA, INC., HEALTH CARE )  
SERVICES CORPORATION, INC., )  
and JOHN DOES 3 through 20, )

Defendants. )

This Document Relates To: )  
BOTH ACTIONS )

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**FILED**

OCT 13 2016

Clerk, U.S. District Court  
District Of Montana  
Helena

No. CV-09-25-BU-SEH

**ORDER**

No. CV-09-62-H-SEH

Upon the record made in open court on October 13, 2016,

ORDERED:

Caring for Montanans, Inc.'s Motion for Partial Summary Judgment  
Relative to Kevin Budd, Martin Mangan, Shirley Mangan, Kenneth Walsh, and  
Tyson Pallister<sup>1</sup> is DENIED.

FURTHER ORDERED:

1. A preliminary pretrial conference to develop a case management plan will be held at 11:00 a.m. on December 5, 2016, at the Chambers of District Judge Sam E. Haddon, **Paul G. Hatfield Courthouse, Helena, Montana**. Lead counsel for each party is to attend in person.
2. Any motion for extension must be made at least fourteen days before the conference date. Extensions will not be granted absent good cause shown.
3. A party may undertake discovery upon providing the initial disclosure required by Fed. R. Civ. P. 26(a)(1).

**INSTRUCTIONS TO COUNSEL REGARDING FORM AND  
SERVICE OF DISCOVERY REQUESTS AND OF RESPONSES TO  
SUCH REQUESTS.**

- a. Each category of discovery request, e.g. interrogatory, request

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<sup>1</sup> Doc. 186.

for admission, request for production, etc., shall be compiled and served separately. Individual classes or categories of discovery requests shall not be combined for service with other classes or categories of requests.

- b. Responses to discovery shall be separated by discovery class or category, shall not be combined for answer or response with other classes or categories of discovery requests and shall be answered in a form compliant with L.R. 26.3.

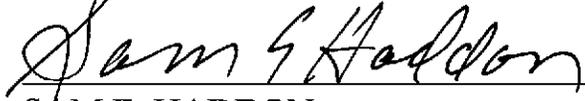
4. Counsel shall confer on or before November 14, 2016, to develop a joint discovery plan. The plan shall be filed on or before November 28, 2016.

5. Disclosure of experts is required. Plaintiff shall disclose liability and damage experts on the same day. Defendant's liability and damage experts are to be disclosed not more than thirty days later.

6. A date certain for close of discovery within sixty to ninety days of disclosure of Defendant's experts should be proposed. Deadlines established by the order issued following the preliminary pretrial conference may be modified by agreement of the parties, except the pretrial order filing date may not be modified or extended except upon order of Court.

7. Each party shall file a preliminary pretrial statement addressing matters listed in L.R. 16.2(b)(1) on or before November 28, 2016.

DATED this 13<sup>th</sup> day of October, 2016.

  
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SAME E. HADDON  
United States District Judge