

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

MICHAEL E. SPREADBURY,

CV 11-64-M-DWM-JCL

Plaintiff,

vs.

ORDER

BITTERROOT PUBLIC LIBRARY,
CITY OF HAMILTON, LEE
ENTERPRISES, INC., BOONE
KARLBERG, P.C., DR. ROBERT
BROPHY, TRISTA SMITH, NANSU
RODDY, JERRY STEELE, STEVE
SNAVELY, STEVEN BRUNER-MURPHY,
RYAN OSTER, KENNETH S. BELL,
and JENNIFER LINT,

Defendants.

On November 30, 2011, the Court entered a scheduling order establishing timetables for the accomplishment of pretrial matters and setting a trial date on June 18, 2012. Having subsequently been advised that a bankruptcy case concerning Lee Enterprises, Inc. had been filed under Chapter 11 of the United States Bankruptcy Code, the Court stayed this action as against Lee Enterprises, Inc. pursuant to the mandate of 11 U.S.C. § 362(a). On January 30, 2012, the automatic stay against Lee Enterprises, Inc. was lifted. Contemporaneously, Lee Enterprises, Inc. moved the Court to amend the scheduling order by extending all

deadlines by 90 days. Plaintiff Michael Spreadbury opposes any amendment to the scheduling order.

Having considered the merits of the parties' respective arguments, the Court deems it appropriate to grant Lee Enterprises, Inc.'s motion to amend the scheduling order as it relates to the dispute between Mr. Spreadbury and Lee Enterprises, Inc. Cognizant of the limited nature of the dispute which remains between Mr. Spreadbury and Lee Enterprises, Inc., however, the Court finds that a 60 day extension of all deadlines will be more than adequate to allow Lee Enterprises, Inc. to prepare its defense for trial. The trial date will be extended by 90 days due to the schedule of the presiding judge, District Judge Donald W. Molloy. Therefore, IT IS HEREBY ORDERED that the deadlines established in the scheduling order entered on November 30, 2011, as it pertains to Plaintiff Spreadbury and Defendant Lee Enterprises, Inc. is amended as follows:

Deadline for Amending Pleadings:	February 29, 2012
Disclosure of Plaintiff's Damages Experts and Simultaneous Disclosure of Liability Experts:	March 13, 2012
Disclosure of Defendant's Damages Experts:	March 27, 2012
Discovery Deadline:	April 10, 2012
Motions Deadline (fully briefed):	May 9, 2012

Attorney Conference to Prepare
Final Pretrial Order: week of August 13, 2012

Submit Final Pretrial Order &
Proposed Jury Instructions
and Trial Briefs electronically
to dwm_propord@mtd.uscourts.gov
(Trial Briefs are optional): August 30, 2012

Notice to Court Reporter of
Intent to Use Real-Time: August 30, 2012

Notice to I.T. Supervisor of
Intent to Use CD-ROM or
Videoconferencing: August 30, 2012

Final Pretrial Conference: September 6, 2012, at 1:30 p.m.
Missoula, Montana

Jury Trial (7-member jury): September 17, 2012, at 8:30 a.m.¹
Russell Smith Courthouse
Missoula, Montana

All other provisions of the Court's November 30, 2011 Order shall remain
in effect.

DATED this 15th of February, 2012.

/s/ Jeremiah C. Lynch
Jeremiah C. Lynch
United States Magistrate Judge

¹Pursuant to 18 U.S.C. § 3161(h) and Fed. R. Crim. P. 50, criminal matters
take priority over civil matters in the event of a conflict. Accordingly, all civil
trial settings are subject to the Court's criminal calendar.