

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CYNTHIA FOLKERS, )  
 )  
 Plaintiff, )  
 )  
 V. )  
 )  
 JEFFERY A. GOSHMAN, and )  
 CRST INTERNATIONAL, Inc., a )  
 Corporation, )  
 )  
 Defendants. )

MEMORANDUM AND ORDER

4:08CV3033

ANNETTE J. BORCHARDT, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 JEFFERY A. GOHSMAN, and )  
 CRST INTERNATIONAL, INC., A )  
 Corporation, )  
 )  
 Defendants. )

4:09CV3013

The above-captioned cases were consolidated,(4:09CV3013, filing no. [19](#)), and the final progression order entered in the earlier-filed case, (4:08CV3033), was withdrawn. (04:08CV3033, filing no. [41](#)). The parties filed a Rule 26(f) report in 4:09CV3013, (filing no. [21](#)), but the discovery deadlines proposed in the report are

ambiguous.<sup>1</sup> At the time the report was filed, April 13, 2009, the parties stated plaintiff/third party defendant Folkers is expected to have surgery in July 2009. The report states the case will be ready for trial in January 2010. (4:09CV3013, filing no. [21](#), at CM/ECF p. 8).

An order setting the final schedule for progression should be entered. However, before doing so, the court needs clarification concerning the current status and progression of these consolidated cases to date. Accordingly,

- 1) On or before July 30, 2009, the parties shall jointly file a motion setting forth their proposed deadlines for continued progression of these cases to trial, including deadlines for disclosing experts and their reports and for completion of discovery, and a statement of when the case will be ready for trial.
- 2) The planning conference scheduled before Magistrate Judge Piester on August 11, 2009 is cancelled.

DATED this 2<sup>nd</sup> day of July, 2009.

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge

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<sup>1</sup>The report states “discovery will be completed by July 30, 2009,” but further states expert identities (not necessarily reports) will be disclosed by July 30, 2009, and “[c]ounsel has agreed to . . . **stretch initial discovery to August 30, 2009.**” (4:09CV3013, filing no. [21](#)), at CM/ECF p. 5(emphasis in original).