

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JAMES L. DEAN,)	4:09CV3144
Plaintiff,)	
v.)	
RICHARD T. SMITH, et al.,)	
Defendants.)	
LOIS P. WHITE, as Personal)	4:09CV3145
Representative of the Estate of)	
Joseph White, deceased,)	
Plaintiff,)	
v.)	
COUNTY OF GAGE, NEBRASKA, et al.,)	
Defendants.)	
KATHLEEN A. GONZALEZ,)	4:09CV3146
Plaintiff,)	
v.)	
RICHARD T. SMITH, et al.,)	
Defendants.)	
THOMAS W. WINSLOW,)	4:09CV3147
Plaintiff,)	
v.)	
RICHARD T. SMITH, et al.,)	
Defendants.)	
ADA JOANN TAYLOR,)	4:09CV3148
Plaintiff,)	
v.)	
RICHARD T. SMITH, et al.,)	
Defendants.)	
DEBRA SHELDEN,)	4:11CV3099
Plaintiff,)	
v.)	
COUNTY OF GAGE, NEBRASKA, et al.,)	
Defendants.)	

ORDER

Upon the entry of the mandate of the Court of Appeals and after a telephone conference with representative counsel for all sides,

IT IS ORDERED that:

1. A pretrial conference will be held at 9:00 AM on Wednesday, March 2, 2016, in my chambers. All counsel shall be present unless excused prior thereto. The parties should give careful and particular consideration to (1) the phrasing of the controverted question regarding conspiracy and (2) the phrasing of the controverted question about Sheriff Dewitt acting as a policy maker for Gage County. With only revisions necessitated by these additional controverted issues, I am tentatively inclined to believe that the previous pretrial conference order (filing no. [289](#) and attached exhibit and witness lists) together with a new trial date and a few other minor revisions should form the basic structure and substance of the new pretrial conference order. I do not contemplate allowing the endorsement of additional exhibits or witnesses without a showing of good cause. I do not contemplate allowing additional discovery without a showing of good cause.
2. A jury trial in this matter is tentatively scheduled as the number one case above all other civil or criminal cases starting at 9:00 on Monday, June 6, 2016, and ending no later than Friday, July 1, 2016. This time includes selection of the jury, opening statements, and closing arguments. Counsel should reserve their calendars accordingly.
3. Melanie J. Whittamore-Mantzios has now entered her appearance as counsel for the defendants (filing no. [468](#)). Any motion to disqualify her shall be filed as soon as possible.

January 26, 2016.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge