

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JEFFREY S. FRANKS,	)	
	)	
Plaintiff,	)	4:10CV3145
	)	
v.	)	
	)	MEMORANDUM AND ORDER
STATE OF NEBRASKA,	)	
	)	
Defendant.	)	

This matter is before the court on the parties joint oral motion to continue the progression of this case. A telephonic conference was held with counsel and an amended schedule of progression was agreed upon, as set forth below.

IT IS ORDERED:

- a. Plaintiff’s written discovery must be served by August 15, 2011. The answers must be complete, and verified as such under oath.
- b. The discovery and deposition deadline remains September 10, 2011. Motions to compel discovery must be filed at least 15 days prior to the discovery and deposition deadline.
- c. The deadline for filing motions to dismiss, motions for summary judgment or motions to exclude expert testimony on *Daubert* and related grounds is extended to October 10, 2011
- d. The pretrial conference will be held before the undersigned magistrate judge on January 12, 2012 at 9:00 a.m. One hour is allocated to this conference. Counsel shall email a draft pretrial conference order to [zwart@ned.uscourts.gov](mailto:zwart@ned.uscourts.gov), in either MS Word or WordPerfect format, by 5:00 p.m. on January 11, 2012, and the draft order shall conform to the requirements of the local rules.

- e. A jury trial is set to commence on January 30, 2012 at 9:00 a.m. in Courtroom 4, Federal Building, 100 Centennial Mall North, Lincoln, NE before Senior Judge Warren K. Urbom. No more than three days are allocated to the trial of this case and counsel shall plan accordingly. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one.
  
- f. A conference will be held before Judge Urbom in his chambers beginning at 8:30 a.m. on January 30, 2012.

DATED this 27th day of July, 2011.

BY THE COURT:

*s/ Cheryl R. Zwart*  
United States Magistrate Judge