

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JAMES THORNTON,	)	
	)	
Plaintiff,	)	4:11CV3243
	)	
v.	)	
	)	FINAL PROGRESSION ORDER
WAL-MART STORES, INC.,	)	
	)	
Defendant.	)	

Pursuant to the request of the parties during the status conference held on October 10, 2011, the progression order (filing 39) is amended as follows:

- a. A jury trial is set to commence before the undersigned magistrate judge on May 14, 2012 in the North Platte Courtroom, Federal Building, 300 East 3<sup>rd</sup> Street, North Platte, NE. No more than three days are allocated to the trial of this case and counsel shall plan accordingly.
- b. The Pretrial Conference will be held before the undersigned magistrate judge on May 3, 2012 at 11:30 a.m. by WebEx conferencing. To facilitate this conferencing method, the parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to [zwart@ned.uscourts.gov](mailto:zwart@ned.uscourts.gov), in either Word Perfect or Word format, by 5:00 p.m. on May 2, 2012. An email will be sent to counsel of record with the instructions and codes for participating in the pretrial conference by WebEx.
- c. A telephonic conference with the court will be held on March 1, 2012 at 10:00 a.m. to discuss the status of case progression and potential settlement. Counsel for plaintiff shall place the call.
- d. The discovery and deposition deadline is December 16, 2011. Motions to compel discovery must be filed at least 15 days prior to the discovery and deposition deadline.
- e. The deadline for filing motions to dismiss, motions for summary judgment or motions to exclude expert testimony on *Daubert* and related grounds is January 17, 2012.

October 18, 2011.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge