

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RICK D. LANGE, Chapter 7 Trustee,)
)
 Plaintiff,)
)
 v.)
)
 K-V PHARMACEUTICAL)
 COMPANY,)
)
 Defendant.)

4:11CV3034

MEMORANDUM AND ORDER

After conferring with the parties and with their agreement,

IT IS ORDERED:

- 1) Mandatory disclosures under Rule 26(a)(1) shall be served on or before August 10, 2011.
- 2) The parties may initiate discovery, with the current focus of discovery directed to the issue of whether this case, or any part of it, must or should be submitted to arbitration.¹ Discovery regarding this threshold arbitration issue shall be completed by October 10, 2011.
- 3) On or before November 9, 2011, the parties shall either file a stipulation to submit all or part of this case to arbitration, and/or shall file a motion for judicial determination of whether and to what extent the issues in this case must be submitted to arbitration.

DATED this 11th day of July, 2011.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge

¹This order does not prohibit a party from performing discovery on matters other than the arbitration issue if completing the discovery, (e.g. a deposition of a specific person, or all depositions at a particular distant location), will advance the interests of obtaining a cost-effective and expeditious resolution of the parties' dispute.