

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,

IT IS ORDERED that counsel for the parties shall confer and, on or before **January 13, 2012** they shall jointly file an abbreviated Rule 26(f) Report, a copy of which is attached.

January 3, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

Plaintiff(s),)
)
) : CV _____
)
)
v.)
)
)
)
Defendant(s).)

**ABBREVIATED
RULE 26(f) REPORT**

The following attorneys conferred to prepare the Report of Parties' Planning Conference for the above-captioned case:

(Identify, for each party, the counsel who participated in preparing the Rule 26(f) Report).

A. Experts.

- 1) If expert witnesses are expected to testify at the trial, counsel agree to at least **identify** such experts, by name and address, (i.e., without the full disclosures required by Rule 26(a)), by _____.
- 2) Experts and, unless otherwise agreed, expert **disclosures** shall be served by _____. **Note:** The parties may agree on separate dates for the plaintiff(s) and the defendant(s).
- 3) Motions to exclude expert testimony on *Daubert* and related grounds will be filed by _____.

B. Discovery.

- 1) Written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure will be completed by _____.
- 2) Depositions, whether or not they are intended to be used at trial, will be completed by _____.

- C. The following claims and/or defenses may be appropriate for disposition by dispositive motion (motion to dismiss or for summary judgment or partial summary judgment): _____.
 Motions to dismiss and/or for summary judgment will be filed by _____.
- D. Consent to Trial Before Magistrate Judge.

In accordance with the provisions of 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73, the parties in this case may voluntarily consent to have a United States Magistrate Judge conduct any and all further proceedings in the case, including the trial, and order the entry of final judgment. The consent must be unanimous, and any appeal must be taken to the United States Court of Appeals. If the parties do not presently consent, they may do so at a later time and the case will remain with the assigned United States District Judge or, if not previously assigned, will be randomly assigned to a United States District Judge.

_____ All parties hereby voluntarily consent to have the United States Magistrate Judge conduct any and all further proceedings in this case including the trial, and order the entry of final judgment.

_____ All parties do not consent at this time.

- E. Trial date.
- 2) This case will be ready for trial before the court by: (month, year)
- 3) The estimated length of trial is _____ days.

Dated: _____

 Counsel for Plaintiff(s)

 Counsel for Defendant(s)

CERTIFICATE OF SERVICE

I hereby certify that on _____, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: _____, and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants: _____.

s/ _____