

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PATRICIA R. FRITCHIE,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

4:12CV3114

**SECOND
AMENDED PROGRESSION ORDER**

The Joint Motion for Extension of the Final Progression Order (filing #27) is granted and,

IT IS ORDERED that the amended progression order is as follows:

- 1) The non-jury trial of this case is set to commence before Cheryl R. Zwart, United States Magistrate Judge, in Courtroom 2, United States Courthouse, Lincoln, Nebraska at 9:00 a.m. on **January 13, 2014**, or as soon thereafter as the case may be called, for a duration of three (3) trial days.
- 2) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on **December 31, 2013 at 9:00 a.m.**, and will be conducted 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, in either Word Perfect or Word format, by 5:00 p.m. on December 30, 2013. An email will be sent to counsel of record with the instructions and codes for participating in the pretrial conference by WebEx.
- 3) A telephonic conference with the undersigned magistrate judge will be held on **October 8, 2013 at 9:00 a.m.** to discuss the status of case progression and potential settlement. Counsel for plaintiff shall place the call.
- 4) The deadline for moving to amend pleadings or add parties is July 15, 2013.
- 5) The deadline for completing written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is October 16, 2013. Motions to compel Rule 33 through 36 discovery must be filed by October 1, 2013.

- 6) The deadlines for identifying expert witnesses and for serving complete expert disclosures, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:
- | | |
|-----------------------|-------------------|
| For the plaintiff(s): | September 3, 2013 |
| For the defendant(s): | October 3, 2013 |
- 7) The deposition deadline is November 29, 2013.
- 8) The deadline for filing motions to dismiss and motions for summary judgment is October 14, 2013.
- 9) The deadline for filing motions to exclude testimony on Daubert and related grounds is October 14, 2013.
- 10) Motions in limine shall be filed five business days prior to trial. It is not the normal practice to hold hearings on motions in limine or to rule on them in advance. Counsel should plan accordingly.
- 11) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.

May 8, 2013.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge