

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

LINCOLN COMPOSITES, INC.,

Plaintiff,

v.

FIRETRACE USA, LLC,

Defendants.

CASE NO. 4:12CV3142

**SECOND AMENDED PROGRESSION
ORDER**

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

- 1) The jury trial of this case is set to commence before Warren K. Urbom, Senior United States District Judge, in Courtroom 4, United States Courthouse, Lincoln, Nebraska at 9:00 a.m. on **January 21, 2014**, or as soon thereafter as the case may be called, for a duration of eight (8) trial days. A conference with counsel will be held in Judge Urbom's chambers at 8:30 a.m. on the first day of trial. Jury selection will be held at commencement of trial.
- 2) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on **January 7, 2014 at 11:00 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 January 3, 2014. 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 24, 2013 at 9:00 a.m.** to discuss the status of case progression and potential settlement. Counsel for plaintiff shall place the call.
- 4) Mandatory disclosures shall be served by November 16, 2012.
- 5) The deadline for moving to amend pleadings or add parties is January 4, 2013.
- 6) The deadline for completing written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is October 11, 2013. Motions to compel Rule 33 through 36 discovery must be filed by September 20, 2013.

- 7) The deadlines for 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):	January 11, 2013
For the defendant(s):	April 15, 2013
For rebuttal:	May 15, 2013

- 9) The deposition deadline is October 18, 2013.
- 10) The deadline for filing motions to dismiss and motions for summary judgment is November 1, 2013.
- 11) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is July 12, 2013.
- 12) 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.
- 13) 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.

March 12, 2013.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge