

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

LINCOLN BENEFIT LIFE,  
Plaintiff,

vs.

JAMES W. WILSON,  
Defendant.

4:13CV3210

**SECOND AMENDED  
PROGRESSION ORDER**

IT IS ORDERED that the parties' joint motion, (Filing No. 62), is granted, and the progression order is amended as follows:

- 1) The jury trial of this case is set to commence before Richard G. Kopf, Senior United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on **April 20, 2015**, or as soon thereafter as the case may be called, for a duration of seven (7) trial days. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one. Jury selection will be held at the commencement of trial.
- 2) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on **April 7, 2015 at 10:00 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](mailto:zwart@ned.uscourts.gov), in either Word Perfect or Word format, by 5:00 p.m. on April 6, 2015. An email will be sent to counsel of record with the instructions and codes for participating in the pretrial conference by WebEx.
- 3) The telephonic conference before the undersigned magistrate judge, previously scheduled for November 12, 2014, is continued and will be held on January 20, 2015 at 11:00 a.m. Counsel for the plaintiff shall place or arrange the call.
- 4) The deadline for completing written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is January 12, 2015. Motions to compel Rule 33 through 36 discovery must be filed by February 2, 2015. **Note:** Motions to compel shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 5) The deadline for identifying expert witnesses expected to testify at the trial is January 19, 2015.
- 6) The deadline for complete expert disclosures, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is January 30, 2015.
- 7) The deposition deadline is January 12, 2015.
- 8) The deadline for filing motions to dismiss and motions for summary judgment is February 17, 2015. The parties are advised, however, that the trial and pretrial conference be continued on the court's own motion if dispositive motions are filed after January 7, 2015.
- 9) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is March 19, 2015.

Dated the 31<sup>st</sup> day of October, 2014.

BY THE COURT:

*s/ Cheryl R. Zwart*  
United States Magistrate Judge