

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

PAUL SUELTER,

Plaintiff,

vs.

MTD PRODUCTS, INC.,

Defendant.

**4:14CV3169**

**AMENDED PROGRESSION ORDER**

The motion to amend the Final Progression Order (Filing No. 22) is granted.

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

- 1) The trial and pretrial conference settings are continued pending further order of the court.
- 2) The parties' anticipated efforts at alternative dispute resolution shall be completed on or before November 30, 2015.
- 3) The telephonic conference previously scheduled for September 15, 2015 is continued. The telephonic conference before the undersigned magistrate judge will be held on **December 1, 2015** at **10:00 a.m.** to discuss the status of the parties' settlement discussions and, if necessary, the trial and pretrial conference setting. This call will be cancelled if, prior to the call, the parties advise the court that the case is settled. Counsel for plaintiff shall place the call.
- 4) The deadline for completing written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is extended to August 14, 2015. Motions to compel Rule 33 through 36 discovery must be filed by August 31, 2015.
- 5) The deadlines for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), and the deadlines for complete expert disclosures for all experts expected to testify at trial, (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):

July 15, 2015.

For the defendant(s):

September 15, 2015.

- 6) The deposition deadline is November 2, 2015.
- 7) The deadline for filing motions to dismiss and motions for summary judgment is November 2, 2015.<sup>1</sup>
- 8) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is November 16, 2015.

Dated this 4th day of June, 2015

BY THE COURT:

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

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<sup>1</sup> To facilitate the court's review, the parties are strongly encouraged to include hyperlinks to the evidence, CM/ECF record, and all legal authorities cited within their briefs filed in support of, or in opposition to, any motions filed. See NECivR [7.1](#). For instructions, see "Hyperlinking Information" at <http://www.ned.uscourts.gov/attorney/electronic-case-filing>.