

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CHRISTINE M. EMERSON,

Plaintiff,

vs.

MADONNA REHABILITATION  
HOSPITAL,

Defendant.

**4:14CV3224**

**AMENDED  
PROGRESSION ORDER**

The Parties conferred filed a joint motion for amendment of the final progression order. ([Filing No. 26](#)).

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

- 1) The jury trial of this case is set to commence before John M. Gerrard, United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on September 19, 2016, 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 September 6, 2016 at **1:00 p.m.**, and will be conducted by WebEx conferencing. The instructions and codes for participating in the pretrial conference by WebEx can be found at filing No. 23. 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 September 2, 2016.
- 3) A telephonic conference with the undersigned magistrate judge will be held on June 21, 2016 at **10:00 a.m.** to discuss the status of case progression and potential settlement. 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 June 1, 2016. Motions to compel Rule 33 through 36 discovery must be filed by May 18, 2016. **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 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 defendant(s): May 2, 2016.

- 6) The deposition deadline is June 30, 2016.
- 7) The deadline for filing motions to dismiss and motions for summary judgment is June 15, 2016.
- 8) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is June 1, 2016.
- 9) 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.
- 10) 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.

January 15, 2016.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge