

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

**JAY CUNNINGHAM, Personal  
Representative of the Estate of Michael  
Galindo, Deceased;**

**Plaintiff,**

**vs.**

**BRAD HANSEN, SCOTT FRAKES, and  
DOES 1 - 10, in their individual capacities;**

**Defendants.**

**4:18CV3012**

**ORDER**

This matter comes before the Court on the Joint Motion to Extend Progression Deadlines ([Filing No. 57](#)). Upon review of the motion, the Court finds good cause to grant the requested extensions. Accordingly,

**IT IS ORDERED** that the Joint Motion to Extend Progression Deadlines ([Filing No. 57](#)) is granted, and deadlines in the Court’s previous Orders ([Filing No. 44](#), Filing No. 47, and [Filing No. 49](#)) are amended as follows:

- 1) The deadline for completing written discovery under Rules 33, 34, and 36 of the Federal Rules of Civil Procedure is **January 17, 2020**.
- 2) The deadlines to complete expert disclosures<sup>1</sup> and reports 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:  | <b>January 17, 2020</b> |
| For the defendants: | <b>January 17, 2020</b> |
- 3) The deposition deadline is **January 17, 2020**.
- 4) The deadline for filing motions to dismiss and motions for summary judgment is **February 17, 2020**. Within fourteen days after the Court rules on such motion, the parties shall contact the chambers of the undersigned magistrate judge to schedule a telephone conference.

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<sup>1</sup> While treating medical and mental health care providers are generally not considered “specially retained experts,” not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert’s treatment records and reports must be separately and timely disclosed.

Dated this 18<sup>th</sup> day of July, 2019.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge