

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

STACY SHIPPS,

Plaintiff,

vs.

WALMART, INC., and WAL-MART REAL  
ESTATE BUSINESS TRUST,

Defendants.

**4:23CV3123**

**FINAL PROGRESSION ORDER  
(AMENDED)**

The parties' joint motion ([Filing No. 22](#)) to modify the final progression order by extending and reopening certain deadlines is granted for good cause shown.

Accordingly,

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

- 1) The trial and pretrial conference will not be set at this time. The status conference to discuss case progression, the parties' interest in settlement, and the trial and pretrial conference settings currently set for June 25, 2024 at 10:00 a.m. by telephone is continued and will be held with the undersigned magistrate judge on **February 25, 2025** at **10:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deadlines for complete expert disclosures<sup>1</sup> for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-

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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.

retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s): October 18, 2024.

For the defendant(s): December 20, 2024.

Plaintiff(s)' rebuttal: January 21, 2025.

- 3) The deposition deadlines, including but not limited to depositions for oral testimony only under Rule 45, are:

Fact Witnesses September 20, 2024

Expert Witnesses February 20, 2025

- 4) The deadline for filing motions to dismiss and motions for summary judgment is March 21, 2025.
- 5) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is March 21, 2025.
- 6) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. **No further extensions will be considered absent a substantial showing of good cause.**
- 7) All other deadlines and provisions in the final progression order, [Filing No. 13](#), are unchanged.

Dated this 5th day of June, 2024.

BY THE COURT:

*s/ Jacqueline M. DeLuca*

United States Magistrate Judge