

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PETER KIEWIT SONS', INC.,)

Plaintiff,)

v.)

WALL STREET EQUITY GROUP,)

INC., WALL STREET GROUP OF)

COMPANIES, INC., SHEPHERD)

FRIEDMAN, and STEVEN S. WEST,)

Defendants.)

8:10CV365

MEMORANDUM AND ORDER

This matter is before the court on the joint motion of the parties to extend the progression order deadlines, (filing no. [85](#)). The parties participated in a teleconference with the undersigned on October 28, 2011 to discuss the pending motion and propose additional modifications to the Amended Progression Order (filing no. [59](#)). Pursuant to the agreement of the parties, the motion is granted as modified by this Memorandum and Order.

Accordingly,

IT IS ORDERED:

- 1) On or before November 11, 2011, the defendants shall serve on the plaintiff the discovery defendants were ordered to produce pursuant to the undersigned's Memorandum and Order on the plaintiff's motion to compel, (filing no. [128](#)).
- 2) The deadline for disclosure of experts and, unless otherwise agreed, the deadline for the provision of expert reports is February 27, 2012.
- 3) The deadline for non-expert written and deposition discovery is January 31, 2012.

- 4) The deadline for filings motions to compel, motions to dismiss, motions for summary judgment or motions to exclude expert testimony on *Daubert* and related grounds is March 19, 2012.
- 5) A telephonic conference with the court will be held on April 3, 2012 at 10:00 a.m. (CST) to discuss the status of case progression and potential settlement. The conference will take place via WebEx conferencing. The court will email conferencing instructions to the parties.
- 6) The pretrial conference will be held before the undersigned magistrate judge on May 24, 2012 at 2:00 p.m. (CST) 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, in either Word Perfect or Word format, by 5:00 p.m. (CST) on May 23, 2012, 2012. An email will be sent to counsel of record with the instructions and codes for participating in the pretrial conference by WebEx.
- 7) A jury trial is set to commence on June 5, 2010 at 8:30 a.m. before Judge Laurie Smith Camp. Not more than three days are allocated to the trial of this case and counsel shall plan accordingly. 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.

DATED this 28th day of October, 2011.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge