

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MICHAEL J. TRACY, an individual and  
Derivatively as a shareholder of Telemetrix  
and Convey;

Plaintiff,

vs.

TELEMETRIX, Inc.; CONVEY  
COMMUNICATIONS, INC., WILLIAM  
W. BECKER, LARRY BECKER, GAYLE  
BECKER, GARY BROWN, BECKER  
CAPITAL MANAGEMENT, LLC,  
GREEN EAGLE COMMUNICATIONS,  
INC., GREEN EAGLE NETWORKS,  
INC., GARY CAMPBELL, CHARLES  
MILLER, CEM & ASSOCIATES,  
CYTTALK NETWORK  
COMMUNICATIONS, Inc.; MAN  
PRINCE HOLDINGS, MAN PRINCE  
HOLDINGS 2, VONIFY, Inc. (Canada);  
VONIFY, Inc. (Cayman Islands);  
MOBILE VIRTUAL NETWORK  
OPERATOR CORPORATION, CYTTA  
CORP.,

Defendants.

**8:12CV359**

**AMENDED  
FINAL PROGRESSION ORDER**

The Motion to Amend Progression Order, (Filing No. 174), is granted. The Progression order is amended as follows:

- 1) The deadline for completing written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is April 17, 2015. Motions to compel Rule 33 through 36 discovery must be filed by May 1, 2015.  
**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.
- 2) 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\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s): February 2, 2015.  
For the defendant(s): March 2, 2015.

3) 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): April 1, 2015.  
For the defendant(s): May 1, 2015.

3) The fact witness deposition deadline is April 17, 2015. The expert witness deposition deadline is June 5, 2015.

4) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is June 12, 2015.

5) The parties shall comply with all other deadlines recited in the final progression order, (Filing No. 166), dated September 24, 2014.

January 6, 2015.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge