

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARGARET HINZ, Personal)
Representative of the ESTATE OF)
MAUREEN MCGINLEY,)
)
Plaintiff,)
)
vs.)
)
DOUGLAS COUNTY, NEBRASKA,)
and DOUGLAS COUNTY)
ASSESSOR'S OFFICE,)
)
Defendants.)

Case No. 8:14cv121

AMENDED ORDER SETTING
PROGRESSION

This case is before the Court on the Joint Proposal for Amended Progression Order (#40). For good cause, the joint proposal is adopted and the progression deadlines amended as set out below:

IT IS ORDERED:

1. **Adding Parties or Amending Pleadings.** The deadline for motions to amend pleadings or add parties is **April 24, 2015**.

2. **Written Discovery.** The deadline for completing written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is **August 1, 2015**. Motions to compel Rule 33 and 36 discovery must be filed by **August 15, 2015**.

3. **Disclosure of Expert Witnesses.**¹ The deadline for identifying expert witnesses to testify at the trial and deadlines to complete expert disclosures, (both retained experts, Fed. R. Civ. P. 26(a)(2)(B)), and non-retained experts (Fed. R. Civ. P. 26(a)(2)(C)), are:

Defendant: **June 1, 2015**
Plaintiff's rebuttal: **July 1, 2015**

¹A treating physician must be identified pursuant to Fed. R. Civ. P. 26(a)(2)(A), but a treating physician is not deemed to be "retained or specially employed to provide expert testimony in a case" so as to require a written report under Fed. R. Civ. P. 26(a)(2)(B).

4. **Motions in Limine:** The deadline for filing motions to exclude testimony on *Daubert* and related grounds, is **August 31, 2015**.

a. Any other motions in limine will be due five 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.

5. **Deposition Deadline.** All depositions, whether or not they are intended to be used at trial, shall be completed by **October 1, 2015**.

6. **Dispositive Motions.** Motions to dismiss and motions for summary judgment shall be filed not later than **September 20, 2015**.

7. The June 22, 2015, final pretrial conference and the jury trial set for the week of July 21, 2015, are cancelled, pending settlement or ruling on a dispositive motion.

8. The parties shall file a joint report on or before **July 1, 2015**, advising the court as to status of settlement negotiations.

9. **Motions to Alter Dates.** All requests for changes of deadlines or settings established herein shall be by appropriate motion.

DATED: April 15, 2015.

BY THE COURT:

**s/ F.A. Gossett, III
United States Magistrate Judge**