

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JULIO SANCHEZ, as Personal	)	
Representative of the ESTATE OF	)	Case No. 8:15-CV-00142
DANIELA TESTA, Deceased; and as	)	
Next Friend of I.M.S., a minor, A.S., a	)	
minor, and J.S.J., a minor; and	)	
INELDA GUTIERREZ PRADINES	)	
Plaintiffs	)	
	)	<b>ORDER AMENDING FINAL</b>
vs.	)	<b>SCHEDULE FOR</b>
	)	<b>FOR PROGRESSION OF CASE</b>
HANKOOK TIRE CO., LTD.	)	
Defendant.	)	

This case is before the court on the Joint Motion to Amend Order Setting Final Schedule for Progression of Case (#46) .

**IT IS ORDERED:** Paragraphs 2 and 5 of the Order Setting Final Schedule for Progression of Case (#24) dated October 19, 2015, are hereby amended as follows:

2. Discovery Deadlines:

- a. Deposition Deadline. All depositions, whether or not they are intended to be used at trial, shall be completed by **August 29, 2016**.
- b. Written Discovery Deadline. All interrogatories, requests for admission and requests for production or inspection, whether or not they are intended to be used at trial, shall be completed by **August 29, 2016**. Counsel may stipulate to extensions of time to respond to discovery requests in accordance with Fed. R. Civ. P. 29, but such extensions shall not extend any of the dates in this order; any request to extend the deadlines of this order shall be sought by motion.

c. Discovery Motions. Discovery motions shall be filed not later than **July 18, 2016** as to matters which are then ripe for decision; discovery matters arising after that date may be the subject of motions until the deposition deadline. Counsel are reminded of the provisions of NECivR 7.0.1(i).

5. Motions in Limine.

a. Motions in limine challenging the admissibility of expert testimony at trial under Fed. R. Evid. 702, *see Kumho Tire Co., Ltd. v. Carmichael*, 526 U.S. 137 (1999) and *Daubert v. Merrell-Dow Pharmaceuticals*, 509 U.S. 579 (1993), shall be filed by **August 29, 2016**, and accompanied by a request for a hearing if necessary. Failure to timely move for a hearing may constitute waiver of the request for a hearing.

**IT IS FURTHER ORDERED:** Paragraph 3 in the Order Amending The Expert Witness Deadlines (#34) dated March 1, 2016, is hereby amended as follows:

3. Each plaintiff, counter-claimant, and cross-claimant shall, as soon as practicable but no later than **July 8, 2016**, serve all opposing parties with the statement required by Fed. R. Civ. P. 26(a)(2) regarding each expert witness it expects to call to testify at trial pursuant to the provisions of Rule 702, 703 or 705, Fed. Rules of Evidence. Each defendant, counter-defendant, and cross-defendant shall serve its statement of the expert witnesses it expects to call to testify pursuant to Rule 702, 703 or 705, Fed. Rules of Evidence, pursuant to Fed. R. Civ. P. 26(a)(2) as soon thereafter as practicable, but not later than **August 5, 2016**. If necessary to refute the disclosed opinions of an expert witness of an opponent, a plaintiff, counter-claimant, or cross-claimant may disclose additional expert witnesses not later than **August 19, 2016**, provided that the disclosing

party then provides all of the information described in Fed. R. Civ. P. Rule 26(a)(2) and makes the expert witness available for deposition prior to the date set for completion of depositions. Supplementation of these disclosures, if originally made prior to these deadlines, shall be made on these deadlines as to any information for which supplementation is addressed in Fed. R. Civ. P. 26(e). The testimony of the expert at trial shall be limited to the information disclosed in accordance with this paragraph.

The October 24, 2016, pretrial conference and the November 15, 2016, trial dates will remain as scheduled.

DATED: April 22, 2016.

BY THE COURT:

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