

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ADA JOANN EMERY, Personal  
Representative of the Estate of Phillip  
Wayne Walker;

Plaintiff,

vs.

COUNTY OF DAKOTA, a Nebraska  
Political Subdivision; and DOES 1-5, in  
their individual and official capacities;

Defendants.

**8:15CV3009**

**INITIAL PROGRESSION ORDER**

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

- 1) The parties may commence discovery. Until further order of the court, the discovery shall be limited to the issues of qualified and sovereign immunity. To avoid burdening witnesses and the unnecessary duplication of time and expense needed to depose the same witness more than once, any witness deposed in preparation for asserting or defending against a qualified immunity or sovereign immunity defenses shall be deposed as to all issues.
- 2) Mandatory disclosures shall be served by May 27, 2015.
- 3) The deadlines for moving to amend pleadings or add parties are:

For the plaintiff(s):	July 1, 2015
For the defendant(s):	September 1, 2015
- 4) The deadline for completing written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is January 27, 2016. Motions to compel Rule 33 through 36 discovery must be filed by January 12, 2016 **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.
- 5) 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): October 27, 2015.  
For the defendant(s): November 27, 2015.

- 6) 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): November 27, 2015.  
For the defendant(s): December 28, 2015.

- 7) The deposition deadline is October 27, 2015.
- 8) The deadline for filing the qualified immunity motion is January 27, 2016. Further progression will be deferred until after resolution of such motion. <sup>1</sup>
- 9) The parties shall contact the undersigned's chambers within ten (10) days after a ruling on any dispositive motions to set a status conference to discuss further progression of any remaining issues.

Dated this 28th day of April, 2015

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge

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<sup>1</sup> To facilitate the court's review, the parties are strongly encouraged to include hyperlinks to the evidence, CM/ECF record, and all legal authorities cited within their briefs filed in support of, or in opposition to, any motions filed. See NECivR [7.1](#). For instructions, see "Hyperlinking Information" at <http://www.ned.uscourts.gov/attorney/electronic-case-filing>.