

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

RASMUSSEN AIR & GAS ENERGY, INC.,

Plaintiff,

v.

INGERSOLL-RAND COMPANY,

Defendant.

Civil Action No. 8:16-cv-103

**THIRD AMENDED  
FINAL PROGRESSION ORDER**

This matter is before the Court following the telephone conference held between counsel for the parties and the undersigned magistrate judge on June 30, 2017. The Court ordered the parties to confer and submit a proposed case progression schedule to the Court. In accordance with the parties' proposed progression schedule,

**IT IS ORDERED** that the final progression order is amended as follows:

1. The jury trial of this case is set to commence before Robert F. Rossiter Jr., United States District Judge, at the Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at **9:00 a.m. on April 9, 2018**, or as soon thereafter as the case may be called, for a duration of four (4) trial days. 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. Jury selection will be held at the commencement of trial.
2. The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on **March 26, 2018, at 11:00 a.m.** The parties' proposed pretrial conference order and exhibit list(s) must be emailed to [bazis@ned.uscourts.gov](mailto:bazis@ned.uscourts.gov), in either Word Perfect or Word format, by **5:00 p.m. on March 16, 2018**.
3. The deadline for completing written discovery is **December 15, 2017**, such that any new discovery requests must be served by **November 14, 2017**. Motions to compel Rule 33 through 36 discovery must be filed by **December 29, 2017**. 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.
4. The reply expert reports deadline is stayed pending the ruling on Plaintiff's Motion for Leave to Serve Supplemental and/or Amended Expert Report.
5. The deposition deadline for fact and expert witnesses is **December 15, 2017**.
6. The deadline for filing motions to dismiss and motions for summary judgment is **January 9, 2018**.

7. The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **January 9, 2018**. Any other motions in limine shall be filed by **March 16, 2018**.
8. By **March 9, 2018**, the parties shall disclose non-expert witnesses. Each party shall provide the name, address and telephone number of each non-expert witness, separately identifying those whom the party expects to present and those whom the party may call if the need arises.
9. By **March 9, 2018**, each party shall disclose a list of all exhibits it expects to offer by providing a numbered listing and permitting examination of such exhibits, designating on the list those exhibits it may offer only if the need arises.

Dated this 7<sup>th</sup> day of July, 2017.

BY THE COURT:

s/ Susan M. Bazis  
United States Magistrate Judge