

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

TONYA J. DAHARSH, individually and as
next friend of TARYN A. GRAALFS, a minor,

Plaintiff,

vs.

JESSICA L. THIELEN, JUSTIN L.
GRAALFS, and GRAALFS FARMS, INC.,

Defendants.

8:16CV305

ORDER

This matter is before the Court following a conference held on the record with counsel for the parties. Jordan Adam appeared in chambers on behalf of Plaintiff. Appearing on behalf of Defendants Justin Graalfs and Graalfs Farms, Inc. by telephone were Earl Green, III, and Christopher Jerram. Joseph J. Hrvol was unavailable to appear on behalf of Defendant Jessica Thielen, but represented to the Court in advance of the conference that his position aligns with the other defendants' position. The Court heard arguments regarding Defendants' Motion to Amend Scheduling Order ([Filing No. 68](#)) and made rulings on the record regarding the parties' scheduling dispute. In accordance with the Court's discussion and the parties' representations during the conference,

IT IS ORDERED:

1. Defendants' Motion to Amend Scheduling Order ([Filing No. 68](#)) is granted, in part, and in part denied, for the reasons stated on the record during the conference.
2. Defendants shall have an extension of time to **December 31, 2017**, to disclose expert witnesses and serve expert reports. Plaintiff shall have an extension of time to **January 31, 2018**, to depose Defendants' additionally disclosed expert witnesses. If necessary to refute those disclosed opinions, Plaintiff may disclose rebuttal expert witness(es) on or before **January 31, 2018**. Defendants shall have until **February 15, 2018**, to depose Plaintiff's rebuttal witness(es), if any.

3. Defendants shall have an extension of time to **January 31, 2018**, to take the depositions of two of Plaintiff's disclosed expert witnesses as discussed during the conference: an economist and the vocational expert, Patricia Conway.
4. **Pretrial Disclosures.** Pursuant to **Fed. R. Civ. P. 26(a)(3)**, each party shall serve opposing counsel and file a redacted version as applicable with the following information regarding the evidence it may present at trial other than solely for impeachment purposes as soon as practicable but not later than the date specified:
 - a. **Nonexpert Witnesses - On or before February 16, 2018:** The name, address and telephone number¹ of each witness, separately identifying those whom the party expects to present and those whom the party may call if the need arises.
 - b. **Trial Exhibits - On or before February 16, 2018:** 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.
5. The **Final Pretrial Conference** with the undersigned magistrate judge is rescheduled for **March 5, 2018, at 11:00 a.m.** in my chambers, 111 South 18th Plaza, Suite 2210, Roman L. Hruska United States Courthouse, Omaha, Nebraska.

Dated this 22nd day of December, 2017.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge

¹ In accordance with the E-Government Act, counsel shall, on witness lists, exhibits, and other disclosures and/or *documents filed with the Court*, redact Social Security numbers, home addresses, telephone numbers, and other personally identifying information of witnesses, but shall serve an unredacted version on opposing parties. See NECivR 5.3.