

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

KELLY M. BASSETT, individually and as heir  
of James M. Bassett, on behalf of herself and  
all other similarly situated;

Plaintiff,

vs.

CREDIT BUREAU SERVICES, INC., and C.  
J. TIGHE,

Defendants.

**8:16CV449**

**FOURTH AMENDED FINAL  
PROGRESSION ORDER**

This matter is before the Court on the parties' Joint Stipulation to Extend Case Progression Deadlines. ([Filing No. 133.](#)) The motion is granted. Accordingly,

The provisions of the Court's previous Final Progression Orders shall remain in effect and in addition to those provisions, the following shall apply:

- 1) The Pretrial Conference, previously scheduled for September 9, 2020, **is canceled** and will not be reset at this time.
- 2) A telephonic conference **to discuss the status of case progression and pretrial conference and trial setting** will be held with the undersigned magistrate judge on **August 4, 2020 at 10:00 a.m.** by telephone. Case Conference Instructions are located at Filing No. 27 in this case.
- 3) 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):

**March 16, 2020**

For the defendant(s):

**July 15, 2020**

- 4) The deadlines for complete expert disclosures<sup>1</sup> 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):

**March 16, 2020**

For the defendant(s):

**July 15, 2020**

Plaintiff(s)' rebuttal:

**July 30, 2020**

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<sup>1</sup> While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.

- 5) The deposition deadline is **August 31, 2020**.
  - a. Depositions will be limited by Rule 30(d)(1).
- 6) The deadline for filing motions to dismiss and motions for summary judgment is **August 31, 2020**.
- 7) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **September 14, 2020**.
- 8) Motions in limine shall be filed thirty (30) days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 9) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 10) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 6<sup>th</sup> day of April, 2020.

BY THE COURT:

s/ Susan M. Bazis  
United States Magistrate Judge