

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CUSTOM HAIR DESIGNS BY SANDY,
LLC, on behalf of themselves and all
others similarly situated; and SKIP'S
PRECISION WELDING, LLC, on behalf
of themselves and all others similarly
situated;

Plaintiffs,

vs.

CENTRAL PAYMENT CO., LLC,

Defendant.

8:17CV310

AMENDED PROGRESSION ORDER

The case is before the court on the parties' joint motion to extend progression deadlines (Filing No. 205). Being fully advised, the motion (Filing No. 205) is granted and IT IS ORDERED that the unexpired deadlines in the final progression order are extended as follows:

- 1) The status conference to discuss case progression, the parties' interest in settlement, and the trial and pretrial conference settings currently set for **September 14, 2021 at 10:00 a.m.** remains set for that time and date. Counsel shall use the case conference instructions assigned to this case to participate in the telephonic status conference.
- 2) The parties agree that the close of fact discovery is July 16, 2021 and the close of expert discovery is September 17, 2021.
- 3) The deadlines for complete expert disclosures¹ 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:

¹ 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.

For the plaintiff(s): July 16, 2021.
For the defendant(s): August 13, 2021.
Plaintiff(s)' rebuttal: September 10, 2021.

- 4) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is September 17, 2021.
- 5) The deadline for filing motions to dismiss and motions for summary judgment remains set for September 27, 2021.
- 6) The deadline for filing motions to exclude testimony on *Daubert* and related grounds remains set for September 27, 2021.
- 7) Motions in limine shall be filed seven 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.
- 8) 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.
- 9) 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 28th day of May, 2021.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge