

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ELLIS GOODMAN,

Plaintiff,

vs.

OHIO SECURITY INSURANCE COMPANY,

Defendant.

**8:21CV84**

**FINAL PROGRESSION ORDER  
(AMENDED)**

Defendant filed a motion to extend certain progression deadlines. Plaintiff was given until January 7, 2022 to respond to Defendants' motion or it would be deemed unopposed. (See Filing No. 32). As of the date of this order, Plaintiff has not filed a response.

Accordingly,

IT IS ORDERED that Defendant's motion to extend is granted. (Filing No. 31). The deadlines that were unexpired at the time of Defendant's motion are amended as follows:

1) The deadline for completing written discovery under Rules 33, 34, 36 and 45 of the Federal Rules of Civil Procedure is March 8, 2022. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by March 22, 2022.

**Note:** A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

2) The deadline 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\(a\)\(2\)\(C\)](#))), is April 4, 2022.  
3) The deadline for complete expert disclosures<sup>1</sup> for all experts expected to

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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

testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is April 22, 2022.

- 4) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is May 31, 2022.
- 5) The deadline for filing motions to dismiss and motions for summary judgment is June 21, 2022.
- 6) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is June 14, 2022.
- 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 10th day of January, 2022.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge

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within that expert's treatment records and reports must be separately and timely disclosed.