

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KYLEE A. MARR,

Plaintiff,

vs.

EDWARD F. OLSON, and VANDER KOOL,
INC.,

Defendants.

8:24CV227

**FINAL PROGRESSION ORDER
(AMENDED)**

The Court grants the parties' joint motion to amend the final progression order.
[Filing No. 20.](#)

Accordingly,

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

- 1) The trial and pretrial conference will not be set at this time. The status conference to discuss case progression, the parties' interest in settlement, and the trial and pretrial conference settings currently set for February 11, 2025 is continued and will be held with the undersigned magistrate judge on **November 4, 2025 at 9:30 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deadline for completing written discovery under Rules 33, 34, 36 and 45 of the Federal Rules of Civil Procedure is January 31, 2025. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by February 14, 2025.

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.

- 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:
- For the plaintiff(s): June 30, 2025.
- For the defendant(s): September 2, 2025.
- 4) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is October 30, 2025.
- 5) The deadline for filing motions to dismiss and motions for summary judgment is December 31, 2025.
- 6) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is December 31, 2025.
- 7) All other deadlines and provisions in the Court's prior final progression order, [Filing No. 12](#), not amended herein remain unchanged.

Dated this 28th day of January, 2025.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge

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.