

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Daniel J. LeBlanc, Sr.

v.

Civil No. 12-cv-084-JL

Kevin Stevenson, et al.

O R D E R

On November 26, 2012, a preliminary pretrial conference was held in this case. Plaintiff appeared via telephone on his own behalf; Attorney Lynmarie C. Cusack appeared for defendants Kevin Stevenson, Pal Casio, Teresa Quint and Janis Phelps; and Attorney Martin P. Honigberg appeared for defendants Emily Bryant and Anthony Ramirez. The court approved the defendants' joint proposed discovery plan (doc. no. 28), with only minor amendments thereto.

The key deadlines in the discovery plan are summarized in the chart below. The parties concurred with respect to each of the following deadlines.

| Scheduling Designation | Deadline |
|--------------------------------------|--|
| Joinder of Additional Parties | Plaintiff: December 1, 2012 Defendants: January 1, 2013 |
| Third-Party Actions | December 1, 2012 |
| Amendment of Pleadings | Plaintiff: December 1, 2012 Defendants: January 1, 2013 |
| Offer | February 1, 2013 |

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| Experts and Experts' Written Reports | Plaintiff: February 28, 2013 Defendants: May 1, 2013 |
| • Supplementation under Rule 26(a) | As required by Rule 26(e) (2) |
| Motions to Dismiss | March 15, 2013 |
| Motions for Summary Judgment | July 8, 2013 |
| Completion of Discovery | July 12, 2013 |
| Challenges to Expert Testimony | September 22, 2013 |
| Trial Estimate (number of days) | 2-3 days |
| Trial Date | Two-week period beginning November 5, 2013 |

In light of the court's approval of defendant's proposed discovery plan (doc. no. 28), the court denies as moot plaintiff's proposed discovery plan (doc. no. 27).

Pending before the court is plaintiff's motion to compel (doc. no. 25). Plaintiff filed the motion before forwarding a formal discovery request to the defendants. As such, the motion is untimely. The court denies the motion (doc. no. 25) without prejudice to plaintiff's right to file such a motion in the event defendants fail to provide plaintiff with discovery to which plaintiff believes he is entitled. Defendants have agreed to construe the motion as a formal discovery request and will respond to it within thirty days from the date of the hearing.

Plaintiff made an oral motion to voluntarily dismiss Janis Phelps as a named defendant in the case. Rather than

require plaintiff to file a formal written request to dismiss Phelps from the case, the court grants his oral request and instructs the clerk's office to terminate Phelps as a named defendant from the case.



Landya B. McCafferty
United States Magistrate Judge

November 27, 2012

cc: Daniel J. LeBlanc, Sr., pro se
Lynmarie C. Cusack, Esq.
Martin P. Honigberg, Esq.