

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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ALTORE WHEELER,		:
		:
Plaintiff,		:
		:
-vs-		:
		:
CITY OF JERSEY CITY, ET AL.,	Civil Action No. 08-682 (SRC)	:
		:
		:
Defendants.	AMENDED SCHEDULING ORDER	:
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THIS MATTER having come before the Court for an in-person status conference on February 11, 2009; and for good cause shown:

IT IS on this 23rd day of February, 2009

ORDERED THAT:

1. Fact discovery is to remain open through **4/13/09**. No discovery is to be issued or engaged in beyond that date, except upon application and for good cause shown.
2. Depositions of fact witnesses and individuals who will give lay opinion testimony based on particular competence in an area (including but not limited to treating physicians) are to be completed by **4/13/09**. No objections to questions posed at depositions shall be made other than as to lack of foundation, form or privilege.
3. Any discovery dispute shall be brought to the Court's attention in the first instance by letter or by telephone conference call immediately after the parties' good faith attempt to resolve the dispute has failed. See L. Civ. R. 16.1(f)(1). Discovery disputes shall be brought to the court's attention no later than **thirty days prior to the close of discovery**.
4. No discovery motion or motion for sanctions for failure to provide discovery shall be made without prior leave of Court.
5. Dispositive motions, if any, are to be filed **no later than thirty (30) days after the entry of the Final Pretrial Order**.

6. All affirmative expert reports shall be delivered by **5/13/09**. Any such report is to be in the form and content as required by Fed. R. Civ. P. 26(a) (2) (B).

7. All responding expert reports shall be delivered by **6/15/09**. Any such report shall be in the form and content as described above.

8. (A) Depositions of experts are to be taken and completed by **7/15/09**.

(B) No expert shall testify at trial as to any opinions or base those opinions on facts not substantially disclosed in his report.

9. A final pretrial conference shall be conducted pursuant to Civil Rule 16(d) on **9/14/09 at 11:30 a.m.**

10. Counsel must submit a joint proposed Final Pretrial Order no later than **8/14/09**.

11. **FAILURE TO FOLLOW THIS ORDER MAY RESULT IN SANCTIONS PURSUANT TO Fed. R. Civ. P. 16(f) and 37.**

s/ Michael A. Shipp
HONORABLE MICHAEL A. SHIPP
United States Magistrate Judge