

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ANGELO ORTIZ,

Plaintiff,

v.

No. 1:17-cv-00577-WJ-KRS

MIDFIRST BANK,

Defendant.

SCHEDULING ORDER

This matter comes before the Court following a telephonic Rule 16 scheduling conference held on June 28, 2017. At the hearing, the Court adopted the parties proposed Joint Status Report and Provisional Discovery Plan, except for minor modifications discussed on the record and included in the dates below.

Accordingly, it is **ORDERED** that the parties shall adhere to the following discovery plan:

- (a) Maximum of twenty-five (25) interrogatories per party to the other party with responses due thirty (30) days after service.
- (b) Maximum of twenty-five (25) requests for admission per party to the other party with responses due thirty (30) days after service.
- (c) The Court will not limit requests for production with the caveat that any party may seek relief in the event that the other party's number of requests has become unreasonable or burdensome.

(d) Maximum of five (5) depositions by each party. The parties may seek leave of the Court should a greater number be required. Depositions shall not exceed seven (7) hours unless extended by the parties' agreement during the deposition.

It is further **ORDERED** that the following case management deadlines shall govern:

- (a) Deadline for Plaintiff to amend pleadings and/or join parties pursuant to Federal Rule of Civil Procedure 15: **August 1, 2017;**
- (b) Deadline for Defendant to amend pleadings and/or join parties pursuant to Federal Rule of Civil Procedure 15: **August 18, 2017;**
- (c) Plaintiff's expert-disclosure deadline: **August 10, 2017;**
- (d) Defendant's expert-disclosure deadline: **September 11, 2017;**
- (e) Deadline for supplementing discovery/disclosures: **thirty (30) days after receiving information triggering the obligation to supplement;**
- (f) Termination of discovery: **October 6, 2017;**
- (g) Motions to compel relating to discovery: **October 20, 2017;**
- (h) All other motions: **November 6, 2017;**
- (i) Pretrial order: Plaintiff to Defendant by: **December 6, 2017;**
Defendant to Court by: **December 13, 2017.**

It is further **ORDERED** that the Court must approve any changes to the timing or scope of discovery, other than the parties' agreement to extend the length of a deposition beyond seven (7) hours made during the deposition in question. Requests by a party to change the timing or scope of discovery, other than a mutual agreement to extend a deposition reached during the deposition, must be made by motion and before the termination of discovery or the expiration of any applicable deadline. Discovery must be completed on or before the termination of the

discovery deadline. A written discovery request must be propounded by a date which ensures that the response to that request is due on or before the discovery deadline. The parties are further reminded that the cutoff for motions related to discovery does not relieve the party of the twenty-one (21) day time period under Local Rule 26.6 to challenge a party's objections to answering discovery. The parties are encouraged to review Federal Rule of Civil Procedure 26(a)(2) to ensure they properly disclose *all* testifying witnesses, not just those for whom a report is required.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE