

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

DON WHITE,

Plaintiff,

v.

No. 2:17-cv-00983-JB-KRS

TOWN OF HURLEY,

Defendant.

**SCHEDULING ORDER**

THIS MATTER comes before the Court following a telephonic Rule 16 scheduling conference held on February 1, 2018. At the hearing, the Court adopted the parties proposed Joint Status Report and Provisional Discovery Plan, with slight modifications, as reflected in the dates below.

Accordingly, **IT IS HEREBY 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) Maximum of twenty-five (25) requests for production per party to the other party with responses due thirty (30) days after service.
- (d) Maximum of ten (10) depositions by each party. The parties may seek leave of the Court should a greater number be required. Depositions of named parties and/or experts shall not exceed seven (7) hours unless extended by the parties' agreement

during the deposition. Depositions of unnamed parties and/or experts shall not exceed four (4) 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: **March 26, 2018;**
- (b) Deadline for Defendant to amend pleadings and/or join parties pursuant to Federal Rule of Civil Procedure 15: **April 25, 2018;**
- (c) Plaintiff's expert-disclosure deadline: **April 25, 2018;**
- (d) Defendant's expert-disclosure deadline: **June 8, 2018;**
- (e) Deadline for supplementing discovery/disclosures: **thirty (30) days before the close of discovery;**
- (f) Termination of discovery: **July 2, 2018;**
- (g) Motions to compel relating to discovery: **July 16, 2018;**
- (h) All other motions: **July 30, 2018;**
- (i) Pretrial order: Plaintiff to Defendant by: **October 30, 2018;**  
Defendant to Court by: **November 7, 2018.**

**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 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.



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KEVIN R. SWEAZEA  
UNITED STATES MAGISTRATE JUDGE