

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

STEVE P. SHULTZABERGER,

Plaintiff,

v.

No. 2:17-cv-01028-MV-KRS

STATE FARM MUTUAL
AUTOMOBILE INSURANCE COMPANY,

Defendant.

SCHEDULING ORDER

THIS MATTER comes before the Court following a telephonic Rule 16 scheduling conference held on December 5, 2017. At the hearing, the Court adopted the parties' proposed Joint Status Report and Provisional Discovery Plan as modified herein.

IT IS, THEREFORE, ORDERED that the parties shall adhere to the following discovery plan:

- (a) Maximum of 25 interrogatories per party to the other party with responses due 30 days after service.
- (b) Maximum of 25 requests for admission per party to the other party with responses due 30 days after service.
- (c) The parties did not ask, and the Court did not limit, the number of requests for production. In the event that the other party's requests become unreasonably numerous or burdensome, the aggrieved party may seek relief with the Court.
- (d) Maximum of five (5) depositions by each party, not to exceed the durational limit of Federal Rule of Civil Procedure 30(d).

IT IS FURTHER ORDERED that the following case management deadlines shall govern:

- (a) Deadline for Defendant to file a motion to bifurcate: **December 22, 2017;**
- (b) Deadline for Plaintiff to join other parties or amend pleadings pursuant to Federal Rule of Civil Procedure 15: **January 2, 2018;**
- (c) Deadline for Defendants to join other parties or amend pleadings pursuant to Federal Rule of Civil Procedure 15: **January 31, 2018;**
- (d) Plaintiff's expert report disclosure deadline: **February 28, 2018;**
- (e) Defendants' expert report disclosure deadline: **April 2, 2018;**
- (f) Deadline for supplementing discovery/disclosures: **April 30, 2018.**
- (g) Termination of discovery: **June 29, 2018;**
- (h) Motions relating to discovery: **July 30, 2018;**
- (i) All other motions, including dispositive and *Daubert* motions: **August 15, 2018;**
- (j) Pretrial order: Plaintiff to Defendant by: **September 17, 2018;**
Defendants to Court by: **September 24, 2018.**

IT IS FURTHER ORDERED that the Court must approve any changes to the timing or scope of discovery. Requests by a party to change the timing or scope of discovery 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 so that the response to that request shall be 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 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 Procedure 26(a)(2) to ensure they properly disclose *all* testifying witnesses, not just those for whom a report is required.

Handwritten signature of Kevin R. Sweazea in cursive script.

KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE