

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

BARBARA PEER,

Plaintiff,

v.

No. 2:18-cv-00150-MV-KRS

CHICO'S FAS, Inc.,

Defendant.

**SCHEDULING ORDER**

**THIS MATTER** comes before the Court following a telephonic Rule 16 scheduling conference held on April 10, 2018. 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 26 interrogatories per party with responses due 30 days after service.
- (b) Maximum of 26 requests for admission per party with responses due 30 days after service.
- (c) The Court will not set a limit on the number of requests for production. In the event the number becomes unreasonable, the aggrieved party may seek relief with the Court.
- (d) Maximum of four (4) depositions per party not to exceed four (4) hours except depositions of experts and parties, or as otherwise extended by the mutual agreement of the parties at the time of the deposition.

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

- (a) Deadline for Plaintiff to amend join other parties or amend pleadings pursuant to Federal Rule of Civil Procedure 15: **April 30, 2018;**
- (b) Deadline for Defendants to amend join other parties or amend pleadings pursuant to Federal Rule of Civil Procedure 15: **May 30, 2018;**
- (c) Plaintiff's expert-disclosure deadline: **August 31, 2018;**
- (d) Defendant's expert-disclosure: **September 28, 2018;**
- (e) Deadline for supplementing discovery/disclosures: **within 30 days receiving new information triggering an obligation to supplement.**
- (f) Termination of discovery: **November 2, 2018;**
- (g) Motions relating to discovery: **December 3, 2018;**
- (h) All other motions, including dispositive and *Daubert* motions: **December 17, 2018;**
- (i) Pretrial order: Plaintiff to Defendant by: **February 14, 2019;**  
Defendant to Court by: **February 21, 2019.**

**IT IS FURTHER ORDERED** that the Court must approve any changes to the timing or scope of discovery, except that the parties may agree at a deposition to extend that deposition. 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 Sweazea in black ink, written over a horizontal line.

KEVIN R. SWEAZEA  
UNITED STATES MAGISTRATE JUDGE