

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

AMENDED
UNIFORM PRETRIAL SCHEDULING ORDER

LEVI YODER, *et al.*

vs.

Civil No. 7:09-CV-0007 (TJM/GHL)

TOWN OF MORRISTOWN, *et al.*

Counsel for all parties having reported on the status of this action on December 29, 2009, and the Court having considered the positions of the respective counsel regarding an extension of the pretrial scheduling for the case,

IT IS ORDERED that:

1) THE DEADLINES SET IN THIS SCHEDULING ORDER SUPERSEDE THE DEADLINES SET FORTH IN FED. R. CIV. P.26(a)(3) AND THE PRETRIAL SCHEDULING ORDER ISSUED ON APRIL 29, 2009. DEADLINES ARE FIRM AND WILL NOT BE EXTENDED, EVEN BY STIPULATION OF THE PARTIES, ABSENT GOOD CAUSE. See Fed. R. Civ. P. 16(b). ALL OTHER PROVISIONS OF THE APRIL 29, 2009 PRETRIAL SCHEDULING ORDER REMAIN IN EFFECT.

a) JOINDER OF PARTIES: Any application to join any person as a party to this action shall be made on or before FEBRUARY 5, 2010.

b) AMENDMENT OF PLEADINGS: Any application to amend any pleading in this action shall be made on or before FEBRUARY 5, 2010.

c) DISCOVERY: All fact discovery is to be completed on or before AUGUST 1, 2010. Fact discovery motions are to be filed on or before AUGUST 16, 2010. **EXPERT DISCLOSURES** are due AUGUST 1, 2010. **EXPERT REPORTS** are due SEPTEMBER 1, 2010. Service of discovery requests must be made a sufficient number of days before this deadline to allow responses to be served before the cut-off.

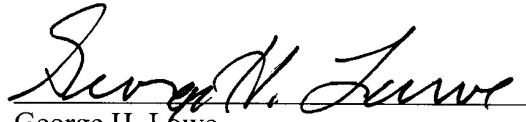
Please refer to Local Rule 16.2 (Discovery Cut-Off).

d) DISPOSITIVE MOTIONS are ADJOURNED WITHOUT DATE.

e) TRIAL READY DATE: Paragraph 8(a) of the April 29, 2009 scheduling order is amended to be consistent with 1(b) above.

f) A status telephone conference is scheduled for SEPTEMBER 2, at 9:30 AM; the issue of the timing for rebuttal expert disclosures will be discussed at that time. Defendant's attorney is responsible for initiating the call, using a teleconferencing service, and should call the chambers of Magistrate Judge George H. Lowe at (315) 234-8618, a dedicated conference line which may not be used for other purposes.

Dated: January 5, 2010
Syracuse, New York


George H. Lowe
United States Magistrate Judge