

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

John Willard Greywind,)
)
 Plaintiff,)
)
 vs.)
)
 James T. Podrebarac, et. al.,)
)
 Defendant.)

ORDER (AMENDED)

Case No. 1:10-cr-006

The parties have each submitted a proposed scheduling/discovery plan pursuant to the court’s order of April 12, 2010. Having reviewed the proposed plans, the court **ORDERS** that the Scheduling/Discovery Plan in the above-captioned case shall be as follows:

1. The parties shall make by Rule 26(a)(1) disclosures by September 27, 2010.
2. The parties shall have until February 4, 2011, to complete fact discovery and to file discovery motions.
3. The parties shall have until March 4, 2011, to provide the names of expert witnesses and to complete reports under Rule 26(a)(2). (Treating physicians need not prepare reports, only qualifications, unless they will express opinions not reflected in the medical records.) (Reports to be served on other parties, but not filed with the court.)
4. The parties shall have until April 8, 2011, to complete discovery depositions of expert witnesses after the disclosures required above.
5. The parties shall have until November 8, 2010, to move to join additional parties.
6. The parties shall have until November 8, 2010, to move to amend pleadings to add claims or defenses.

7. The parties shall have until April 4, 2011, to file other nondispositive motions (e.g., consolidation, bifurcation).
8. The parties shall have until April 4, 2011, to file threshold motions (e.g., jurisdiction, qualified immunity, statute of limitations). Discovery shall not be stayed during the pendency of such motions.
9. The parties shall have until May 6, 2011, to file other dispositive motions (summary judgment as to all or part of the case).
10. Each party shall serve no more than 25 interrogatories, including subparts. No broad contention interrogatories (i.e., "List all facts supporting your claim that . . .") shall be used. (Show good cause for more than the 25 interrogatories allowed by Rule 33).
11. Each side shall take no more than 10 discovery depositions. (Show good cause for more than the 10 depositions allowed by Rule 30.)
12. Depositions taken for presentation at trial shall be completed 20 days before trial.
13. Trial of this case will be by a jury.
14. The estimated length of trial is 3 days.

Dated this 30th day of August, 2010.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge