

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

DAVID EASLEY,	:	NO. 1:08-CV-00601
	:	
Plaintiff,	:	
	:	
v.	:	<b>OPINION AND ORDER</b>
	:	
GARY HAYWOOD, et al.,	:	
	:	
Defendant.	:	

The parties met before the Court on March 29, 2012, for a status conference in this matter. The parties advised the Court they will need more time to complete discovery, that they have been discussing settlement, and discussed Plaintiff's pro se Motion for Preliminary Injunction and Temporary Restraining Order (doc. 125). The Court VACATED the previous schedule in this matter (doc. 120), and RESET this matter according to the schedule indicated below.

The Court further DIRECTED Plaintiff's counsel to continue its investigation of Plaintiff's pro se Motion, and to refile such motion if found to be of merit, for disposition before the Magistrate Judge. The Court similarly DIRECTED Defendants' Counsel to make it clear to his clients that no retaliation will be tolerated in relation to this matter. The Court INSTRUCTS Plaintiff that as he is represented by counsel, the Clerk is directed to accept no further pro se motions. United States v. Howton, 260 F.Appx. 813, 819 (6<sup>th</sup> Cir. 2008), United States v. Martinez, Nos. 06-3882/4206 at p. 34 (6<sup>th</sup> Cir. December 1,

2009)(slip opinion). The Court DENIES Defendant's pro se Motion (doc. 125) WITHOUT PREJUDICE to refiling by his Counsel, should Counsel's investigation show such motion should be refiled.

**I  
PROCEEDINGS FOR TRIAL**

- (A) Discovery will be completed by May 1, 2012. All matters relating to discovery will be referred to the United States Magistrate Judge to whom the case has been assigned.
- (B) Any dispositive motions will be filed by June 1, 2012. Such motions must be filed by this date, and any motions filed after this date may be subject to a motion to strike. Parties are referred to Local Rule 7.2, which restricts letters to the Court. Correspondence with the Court should be by motion, except as expressly permitted by the Rule.
- (C) A final pretrial conference has been tentatively scheduled for August 23, 2012, at 2:00 P.M.
- (D) Trial has been tentatively scheduled for September 18, 2012, on an on-deck basis. On-deck trials will be released late Thursday afternoon the week before the scheduled trial date.
- (E) This is expected to be a three-day jury trial.
- (F) Any proposed jury instructions, jury interrogatories, and/or special verdict forms are to be submitted at least three (3) business days before the trial date and must cite to all sources used. In addition, the Court requests that the parties submit such documents to the Chambers on a computer disc that is compatible with WordPerfect version 8.0 or 10.0.
- (G) Exhibits are to be submitted ten days prior to trial.
- (H) Any motions or entries for extensions of time must recite the final pretrial date and trial date.

**II**  
**ORDERING OF TRANSCRIPTS**

Any request for daily copy of a trial should be made to the Judge's Court Reporter, at the time of the final pretrial conference. Under no circumstances will the Judge allow a daily transcript or an over-night transcript if daily copy is not arranged in advance of trial.

**III**  
**STATUS REPORTS**

It will not be necessary for counsel to advise the Court in writing on the status of this case.

**IV**  
**ADDITIONAL CONFERENCES**

If the need for the Court's assistance arises, counsel may make a joint appointment for additional conferences.

**V**  
**TRANSFERRAL**

In accordance with Western Division Rule No. 1 and Rule 53, Federal Rules of Civil Procedure, this matter may be transferred to the United States Magistrate Judge for disposition or for him to serve as Master.

SO ORDERED.

Dated: March 29, 2012

/s/ S. Arthur Spiegel  
S. Arthur Spiegel  
United States Senior District Judge