

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

SONDA SHAFER, *et al.*,

Plaintiffs,  
vs.

Case Nos. 3:16-cv-071  
3:16-cv-225

DAVID REESE, *et al.*,

Defendants.

District Judge Thomas M. Rose  
Magistrate Judge Michael J. Newman

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**ORDER AND ENTRY: (1) GRANTING DEFENDANTS' MOTION TO CONSOLIDATE;  
(2) VACATING THE PREVIOUS SCHEDULING ORDER; AND (3) SETTING AN  
AMENDED SCHEDULING ORDER**

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This civil case is before the Court on Defendants' unopposed motion to consolidate filed in Case Nos. 3:16-cv-71 (doc. 15) and 3:16-cv-225 (doc. 11). Doc. 15. For good cause shown, and absent opposition, the Court **GRANTS** Defendants' motion. Accordingly, Case Nos. 3:16-cv-71 and 3:16-cv-225 are **CONSOLIDATED** for all purposes and all further filings in both cases shall be made in Case No. 3:16-cv-71.

In light of the consolidation, the Court **VACATES** the Scheduling Order in Case No. 3:16-cv-71, **ADOPTS** the Rule 26(f) report filed in Case No. 3:16-cv-225 (doc. 12), and sets the following amended calendar governing all matters in these consolidated cases:

1. Deadline for filing:<sup>1</sup>
  - a. Motions to amend pleadings and/or to add parties: **April 6, 2017**
  - b. Motions directed to pleadings (including motions to dismiss filed pursuant to Fed. R. Civ. P. 12) **May 8, 2017**
2. Lay witness disclosure: **June 9, 2017**

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<sup>1</sup> Following these dates, amendments to pleadings and motions directed to pleadings may be made only upon leave of Court, with notice to the opposing party.

3. Dates to disclose identity of expert witnesses, along with a copy of the expert's report are:
  - a. Plaintiffs' Primary Experts: **August 9, 2017**
  - b. Defendants' Primary Experts: **September 15, 2017**
  - c. Rebuttal Experts: **October 27, 2017**
4. Discovery deadline:<sup>2</sup> **November 30, 2017**
5. Dispositive motion deadline: **December 29, 2017**
6. Final Pretrial Conference: **June 28, 2018 @ 2:30 p.m.**
7. Trial: **July 30, 2018 @ 9:30 a.m.**

If the parties desire assistance, they are directed to contact the undersigned's courtroom deputy, Diane Marcus, at (937) 512-1640, in order to schedule a status conference. Likewise, prior to filing motions to compel discovery, the parties are directed to call the undersigned's chambers, at this same telephone number, to schedule an informal discovery conference. If the parties settle this case on their own, they shall inform the Court as soon as possible.

**IT IS SO ORDERED.**

Date: March 28, 2017

s/ Michael J. Newman  
 Michael J. Newman  
 United States Magistrate Judge

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<sup>2</sup> The parties are reminded of their continuing duty to update their discovery responses pursuant to Fed. R. Civ. P. 26(e). This includes responses to initial disclosures pursuant to Rule 26(a), as well as interrogatories, requests for production, and requests for admission. Further, the discovery deadline means that all discovery must be concluded, as opposed to simply requested, by the discovery date. Further, absent approval by the Court, there will be no continuation of discovery beyond the discovery deadline. If counsel or the parties extend discovery by agreement, there will be no supervision or intervention by the Court, such as a Fed. R. Civ. P. 37 request for sanctions, without a showing of extreme circumstances. Parties who undertake discovery beyond the discovery deadline do so at the risk the Court may not permit its completion before trial.