

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

STACEY SNYDER	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	NO. 07-1660
	:	
MILLERSVILLE UNIVERSITY, et al.	:	
Defendants	:	

ORDER

AND NOW, this 30th day of January, 2008, it is **ORDERED** as follows:

1. A trial for the above-captioned case shall be held on **May 6, 2008 at 9:30 a.m.** in Courtroom 6B, United States District Court, 601 Market Street, Philadelphia, PA 19106.

2. A final pretrial conference is scheduled for **April 30, 2008, at 10:00 a.m.** in Room 6613, United States District Court, 601 Market Street, Philadelphia, PA 19106. Lead Trial Counsel must attend. It is the responsibility of any trial counsel who cannot attend to contact the court as soon as any conflict becomes known so the court may consider rescheduling the conference. Unless the court has otherwise granted permission, whoever attends the final pretrial conference will try the case. In addition to each trial counsel, each plaintiff and defendant or, in the case of a corporate party, a representative with full authority to settle the case shall attend. Telephone availability is not acceptable unless leave of court has been granted. Failure to comply with this order may result in sanctions in accordance with the Federal Rules of Civil Procedure.

As outlined below, all motions in limine, evidentiary motions, stipulations of facts, all depositions that will be introduced as testimony, and any and all other legal disputes that the parties are aware of shall be due before the final pretrial conference so that they may be resolved before trial begins.

3. The parties shall serve any written discovery requests no later than **Thursday, February 7, 2008**. Responses shall be served no later than **February 14, 2008**. All discovery shall proceed and continue in such manner as will assure that all requests for, and responses to, discovery, including expert discovery, will be noticed, served, and completed no later than **March 14, 2008**.

4. Unless the Parties agree to another form of ADR, they shall participate in a settlement conference to be scheduled and held before United States Magistrate Judge Timothy R. Rice no later than **March 7, 2008**. PLAINTIFF'S COUNSEL SHALL CONTACT DEFENDANT'S COUNSEL, AND THEN THE PARTIES SHALL JOINTLY CONTACT JUDGE RICE'S CHAMBERS TO ARRANGE THIS CONFERENCE. If the Parties believe that a settlement conference would be helpful at an earlier time, they are directed to contact Judge Rice to schedule the same. Judge Rice will require that lead counsel and parties with full settlement authority attend the conference.

5. Any summary judgment motion or other dispositive motion, together with

supporting brief, shall be filed on or before **March 21, 2008**. Responses shall be filed on or before **March 28, 2008**.

6. Plaintiff shall propose stipulated facts and submit those proposed stipulated facts to Defendant on or before **April 4, 2008**. Defendant shall state agreement or disagreement with each of Plaintiff's proposed stipulated facts and may counter-propose stipulated facts on or before **April 8, 2008**. Plaintiff is obligated to respond on or before **April 11, 2008**.

7. In accordance with Fed. R. Civ. P. 26(a)(3), listed exhibits shall be numbered and pre-marked for use at trial; no exhibit shall be listed unless it is already in the possession of opposing counsel. Only specifically listed exhibits may be used in the party's case-in-chief except by leave of court.

Counsel for each party shall serve upon counsel for the other party on or before **April 14, 2008**:

- (A) a copy of each exhibit they expect to offer at trial in furtherance of their respective contentions. Each exhibit shall be marked as it will be marked for trial;
- (B) curriculum vitae for each expert witness expected to testify; and
- (C) a specific identification of each discovery item expected to be offered into evidence.

Counsel shall also provide the Court with one copy of all of these items, on three-hole punched paper, on or before **April 14, 2008**:

As to documents listed in accordance with Fed. R. Evid. 803(6), as amended, notice in accordance with Fed. R. Evid. 902 (11) or (12) must be given on or before **April 14, 2008**.

All witnesses as to liability and damages should be listed. Only listed witnesses may testify at trial except by leave of court. Any party who intends to use deposition testimony at trial must submit deposition designations by **April 4, 2008**. Counter-designations shall be submitted by **April 8, 2008**. Objections to the designations shall be submitted on or before **April 11, 2008**.

Any other pretrial or trial matter requiring attention of the judge prior to trial, shall be specifically addressed in the final pretrial conference.

8. All parties shall prepare and file with the Clerk of the Court their pretrial memoranda as follows:

A. Plaintiff's Pretrial Memoranda shall be filed on **April 18, 2008**.

B. Defendant's Pretrial Memoranda shall be filed on **April 18, 2008**.

9. All Motions in Limine shall be filed on or before **April 21, 2008**. Responses thereto are due on or before **April 28, 2008**.

10. On or before **April 18, 2008**, after meeting and conferring, the parties shall jointly submit proposed jury voir dire questions, jury interrogatories, verdict sheets, and proposed

jury instructions on three-hole punched paper. The Parties shall individually submit any proposed questions, interrogatories, sheets, or instructions upon which the parties after conferring cannot agree. All questions, interrogatories, sheets, and instructions shall be submitted in paper form and on computer disk to the Court.

11. On or before **April 21, 2008**, the relevant party shall submit to the Court **two** additional copies of the following:

- (A) Answer;
- (B) Complaint;
- (C) Pretrial Memorandum;
- (D) Stipulated Facts;
- (E) Proposed Jury Voir Dire Questions;
- (F) Proposed Jury Interrogatories;
- (G) Proposed Jury Instructions; and
- (H) Proposed Verdict Sheet.

12. If a party uses any version of the Word Perfect word processing system, it is urged to provide the Court with a disk containing any of the above documents.

AND IT IS SO ORDERED.

/s Paul S. Diamond

Paul S. Diamond, J.