

**SCANNED**

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

VALENCIA M. MCCLATCHEY, )  
)  
Plaintiff, )  
)  
v. )  
)  
THE ASSOCIATED PRESS, )  
)  
Defendant. )

Civil Action No. 05-145J

**JURY TRIAL DEMAND**

CLERK, U.S. DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIA

JUL 26 2005

**RECEIVED**

**CASE MANAGEMENT ORDER**

**AND NOW**, this, 25th day of July, 2005, **IT IS ORDERED** that this action is placed under Local Rule 16.1 of this Court for pretrial proceedings and all provisions of the Rule will be strictly enforced. This action is designated a Track I case under Local Rule 16.1.3.

**IT IS FURTHER ORDERED** that counsel shall confer with their clients prior to all case management, status, or pretrial conferences to obtain authority to participate in settlement available by telephone to facilitate the amicable resolution of all litigation.

**IT IS FURTHER ORDERED** that compliance with provisions of Rule 16.1 shall be completed as follows:

- (1) The parties shall move to amend the pleadings or add new parties by November 3, 2005.
- (2) The parties shall complete fact discovery by December 2, 2005. All interrogatories, depositions, requests for admissions, and requests for production shall be served within sufficient time to allow responses to be completed prior to the close of discovery.
- (3) Responses to motions to compel are due within ten (10) calendar days.
- (4) Motions for summary judgment with evidentiary material and accompanying brief, if appropriate, shall be filed by February 3, 2006. **Responses to motions shall be filed within 30 days of filing such motion.** Briefs supporting or opposing summary judgment motions shall not exceed 25 pages, excluding tables. Reply briefs shall not be filed unless requested by the court.
- (5) Plaintiff's pretrial narrative statement shall comply with Rule 16.1.4.A, and be filed by February 21, 2006.
- (6) Defendant's pretrial narrative statement shall comply with Rule 16.1.4.B, and be filed by March 14, 2006.

- (7) Material facts not identified in the pretrial narrative statements may be excluded upon objection or by the Court *sua sponte*. Witnesses or exhibits not identified in the pretrial narrative statements shall not be admissible at trial, except an exhibit to be used solely for impeachment purposes. Plaintiff should use numbers to designate exhibits; Defendant should use letters.
- (8) The parties shall not amend or supplement their pretrial narrative statements without leave of Court.
- (9) All parties shall file a joint statement with the clerk of Court indicating whether or not they are willing to proceed to trial in front of a Magistrate Judge by March 28, 2006.
- (10) **EXPERT'S REPORTS AND DISCOVERY:**
  - (a) Plaintiff's and Defendant's expert reports shall be filed by December 15, 2005.
  - (b) Plaintiff's and Defendant's Response to expert reports shall be filed by January 13, 2006.
  - (c) All expert depositions shall be completed by January 31, 2006.
- (11) The Court shall conduct a pretrial conference on \_\_\_\_\_ (date), at \_\_\_\_\_ (time) 104 Pen Traffic Building, 319 Washington Street, Johnstown, PA 15901. Chief trial counsel must attend. The parties, or those with final full settlement authority for the parties, shall attend.

BY THE COURT:

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE  
The Honorable Kim R. Gibson

cc: All counsel of record.