UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RALPH BLACKWELL,	)	
	)	
Plaintiff	)	
	)	**Case No. 3:13-0079**
v.	)	**Judge Nixon/Brown**
	)	**Jury Demand**
BFI WASTE SERVICES, LLC,	)	
	)	
Defendant	)	

INITIAL CASE MANAGEMENT ORDER

A.   JURISDICTION AND VENUE

Both parties agree that this Court has original diversity jurisdiction over this case under

28 U.S.C. § 1332. Additionally, both parties agree that this Court is the proper venue for this

action.

B.   BRIEF THEORIES OF THE PARTIES:

1)   **PLAINTIFF:** Plaintiff alleges that he was unlawfully terminated on the

basis of age in violation of the Tennessee Human Rights Act.

2)   **DEFENDANT:** Defendant denies that it subjected Plaintiff to unlawful

discrimination or otherwise violated Plaintiff's rights under the Tennessee Human Rights Act

("THRA"). All actions taken and decisions made by Defendant with respect to Plaintiff were

based on reasons and motives that were legitimate, lawful, and nondiscriminatory.

C.   ISSUES RESOLVED: There are no disputed issues relating to, service of

process, jurisdiction or venue.

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D. ISSUES STILL IN DISPUTE: All issues related to liability and damages remain in dispute.

E. INITIAL DISCLOSURES: The parties shall exchange initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) on or before **March 22, 2013**.

F. DISCOVERY: The parties shall complete all written discovery and depose all fact witnesses on or before **September 20, 2013**. Discovery is not stayed during dispositive motions, unless ordered by the Court. In the event that a discovery dispute arises that the parties are unable to resolve, they may attempt to contact the undersigned in an effort to resolve the dispute prior to the filing of any discovery related motions.

G. MOTIONS TO AMEND: The parties shall file all Motions to Amend on or before **June 21, 2013**.

H. DISCLOSURE OF EXPERTS: The plaintiff shall identify and disclose all expert witnesses and expert reports on or before **July 19, 2013**. The defendant shall identify and disclose all expert witnesses and reports on or before **August 23, 2013**.

I. DEPOSITIONS OF EXPERT WITNESSES: The parties shall depose all expert witnesses on or before **September 20, 2013**.

J. SETTLEMENT CONFERENCE: In the event that both counsel agree that a settlement conference would be beneficial, they shall contact the courtroom deputy if they wish to have another Magistrate Judge conduct the conference. Otherwise they are free to engage in mediation with a member of the Court's approved mediators.

K. DISPOSITIVE MOTIONS: The parties shall file all dispositive motions on or before **October 18, 2013**. Responses to dispositive motions shall be filed within **28 days** after
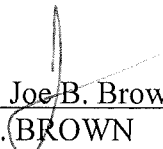
service. Briefs shall not exceed **25 pages** without leave of Court. Optional replies, limited to **five pages**, shall be filed within **14 days** after service of the response. If dispositive motions are filed early, the response and reply dates are moved up accordingly.

L.   **ELECTRONIC DISCOVERY**: The parties do not anticipate that this case will require or involve any significant electronic discovery, and the parties do not perceive or anticipate any issues/problems regarding electronic discovery. Thus, the default standard contained in Administrative Order No. 174 need not apply in this case.

M.   **SUBSEQUENT CASE MANAGEMENT CONFERENCE**: A telephone conference with Magistrate Judge Brown to discuss case progress is set for **August 12, 2013, at 11:00 a.m. To participate in the conference call, parties will call 615-695-2851 at the scheduled time.**

N.   **TRIAL DATE**: The parties estimate that this jury trial will take two days, depending on what issues remain for trial. After consulting with Judge Nixon's courtroom deputy, this matter is set for trial on **March 18, 2014, at 9:00 a.m.** Judge Nixon will conduct the final pretrial conference on **March 7, 2014, at 10:00 a.m.** Judge Nixon will issue a separate order covering his requirements for the final pretrial conference and the trial.

IT IS SO ORDERED.

_/s/   Joe B. Brown_____
JOE B. BROWN
United States Magistrate Judge