

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ERIC ALBRITTON

VS.

**CISCO SYSTEMS, INC. and
RICHARD FRENKEL**

§
§
§
§
§
§

CIVIL ACTION NO. 6:08cv89

PROPOSED JOINT SCHEDULING ORDER

In accordance with the parties' Rule 26(f) Scheduling Order and the Scheduling Conference held in this action on **June 5, 2008**, the Court enters this case specific order which controls disposition of this action pending further order of the Court. The following actions shall be completed by the date indicated.

DEADLINES

<u>September 1, 2008</u>	Deadline to join additional parties.
<u>September 22, 2008</u>	Plaintiff's disclosure of expert testimony pursuant to Fed.R.Civ.P. 26(a)(2) and Local Rule CIV-26(b). Expert report due.
<u>October 24, 2008</u>	Defendant's disclosure of expert testimony pursuant to Fed. R. Civ. P. 26(a)(2) and Local Rule CV-26(b). Expert report due.
<u>October 20, 2008</u>	Deadline for amended pleadings. (A motion for leave to amend is not necessary before this deadline.)
<u>November 7, 2008</u>	Discovery deadline.
<u>January 31, 2009</u>	Mediation completed by this date. <i>The Court refers most cases to mediation. The parties should discuss proposed mediators and timing of mediation</i>

prior to the Scheduling Conference and be prepared with a recommendation for the Court.

_____ (name, address and phone number) is appointed as mediator in this case. The mediator shall be deemed to have agreed to the terms of Court Ordered Mediation Plan of the United States District Court of the Eastern District of Texas by going forth with the mediation in accordance with this order. (See General Order 99-2.)

December 1, 2008

Plaintiff to Identify Trial Witnesses.

December 8, 2008

Defendant to Identify Trial Witnesses.

November 21, 2008

Deadline for filing dispositive motions and any other motions that might require a hearing.

January 7, 2009

Joint Pretrial Order and Proposed Jury Instructions/Form of Verdict (or Proposed Findings of Fact and Conclusions of Law). Counsel and unrepresented parties are each responsible for contacting opposing counsel and unrepresented parties to determine how they will prepare the Joint Final Pretrial Order (See Local Rule CV-16(b)) and Joint Proposed Jury Instructions and Verdict Form (or Proposed Findings of Fact and Conclusions of Law in nonjury cases).

January 7, 2009

Video Deposition Designation Due. Each party who proposes to offer a deposition by video shall file a disclosure identifying the line and page numbers to be offered. All other parties will have ten days to file a response requesting cross examination line and page numbers to be included. Any objections to testimony must be filed ten days prior to the Final Pretrial Conference. The party who filed the initial Video Deposition Designation is responsible for preparation of the final edited video in accordance with all parties designations and the court's rulings on objections.

January 16, 2009

Trial Exhibits due.

January 23, 2009

Objections to Trial Exhibits due.

January 23, 2009

Motions in limine due

February 2, 2009

Pretrial Conference at 9:00 a.m.
Date for Jury Trial to be announced
at the Pretrial Conference.

Trial is anticipated to last 3-5 days.

This Scheduling Order shall not be modified except by leave of Court upon showing of good cause, and shall be binding on all parties.

SO ORDERED.