

United States District Court
Western District of Texas
Waco Division

Lucy Peters, et al,
Plaintiffs,

v.

The United States of America,
Defendant.

No. 6:21-cv-00550-ADA-JCM

Scheduling Order and Discovery Plan

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court ORDERS that the following schedule will govern deadlines up to and including the trial of this matter:

<u>Date</u>	<u>Event</u>
September 27, 2021	Discovery commences on all issues.
September 27, 2021	Parties exchange initial disclosures pursuant to Rule 26(a)(1).
October 4, 2021	Each party shall complete and file the “Notice Concerning Reference to United States Magistrate Judge.”
November 22, 2021	All motions to amend pleadings or to add parties shall be filed on or before this date.
February 17, 2022	Parties with burden of proof to designate Expert Witnesses and provide their expert witness reports, to include all information required by Rule 26(a)(2)(B).
March 21, 2022	Parties shall designate Rebuttal Expert Witnesses on issues for which the parties do not bear the burden of proof, and provide their expert witness reports, to include all information required by Rule 16(a)(2)(B).
June 1, 2022	Expert Discovery Deadline. Expert discovery must be completed by this date.

	Any objection to the reliability of an expert’s proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, not later than 14 days of receipt of the written report of the expert’s proposed testimony or not later than 14 days of the expert’s deposition, if a deposition is taken, whichever is later. The failure to strictly comply with this paragraph will be deemed a waiver of any objection that could have been made pursuant to Federal Rule of Evidence 702.
July 1, 2022	Fact Discovery Deadline. Fact discovery must be completed by this date. Any fact discovery requests must be propounded so that the responses are due by this date.
February 1, 2022	The parties asserting claims for relief shall submit a written offer of settlement to opposing parties on or before this date. All offers of settlement are to be private, not filed, and the Court is not to be advised of the same. The parties are further ORDERED to retain the written offers of settlement and responses as the Court will use these in assessing attorneys’ fees and court costs at the conclusion of trial.
March 1, 2022	Each opposing party shall respond, in writing, to the written offer of settlement made by the parties asserting claims for relief by this date. All offers of settlement are to be private, not filed, and the Court is not to be advised of the same. The parties are further ORDERED to retain the written offers of settlement and responses as the Court will use these in assessing attorneys’ fees and court costs at the conclusion of trial.
August 15, 2022	All dispositive motions shall be filed and served on all other parties on or before this date and shall be limited to 25 pages. Responses shall be filed and served on all other parties not later than 14 days after the service of the motion and shall be limited to 20 pages. Any replies shall be filed and served on all other parties not later than 7 days after the service of the response and shall be limited to 10 pages, but the Court need not wait for the reply before ruling on the motion.
October 17, 2022	By this date the parties shall meet and confer to determine pre-trial deadlines, including, <i>inter alia</i> , exchange of exhibit lists, designations of and objections to deposition testimony, and exchange of demonstratives.
October 31, 2022	By this date the parties will submit to the Court their Joint Pre-trial Order, including the identification of issues to be tried, identification of witnesses, trial schedule provisions, and all other pertinent information.
November 17, 2022 at 10:30 a.m.	Final Pre-Trial Conference.

December 5, 2022 at 9:00 a.m.	Trial Commences.
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SIGNED this 3rd day of October, 2021.



JEFFREY C. MANSKE
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

LUCY PETERS, et al.,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	CASE NO. 6:21-CV-00550-ADA-JCM
	§	
UNITED STATES OF AMERICA,	§	
	§	
Defendant.	§	

**NOTICE AND STATEMENT REGARDING CONSENT
TO UNITED STATES MAGISTRATE JUDGE**

Notice of a magistrate judge’s availability. A United States Magistrate Judge is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent. You may consent to have your case referred to a magistrate judge or you may withhold your consent without adverse substantive consequences.

Statement regarding consent. The following parties **DO / DO NOT**¹ consent to the jurisdiction of the United States Magistrate Judge to conduct all proceedings in this case including trial proceedings, entry of judgment, and post-trial proceedings.

<u>Party:</u>	<u>Representative’s Signature</u>	<u>Date:</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

¹ Circle one.