

IN THE UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF ILLINOIS -- SPRINGFIELD DIVISION

| | | |
|------------------|---|-------------|
| ELLEN MISHAGA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | NO. 10-3187 |
| |) | |
| JONATHON MONKEN, |) | |
| |) | |
| Defendant. |) | |

SCHEDULING ORDER

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure a scheduling conference was held on January 25, 2011, with Attorneys James Manley and Joanna Belle Gunderson.

TIME LIMITS AND SETTINGS ARE ORDERED AS FOLLOWS:

1. No motions to join other parties and to amend the pleadings are expected to be filed after **MARCH 1, 2011**. If such a motion is filed, the movant has the burden of showing that the filing was in a timely and diligent manner in discovering the need for the motion and also in coming to the Court in the same manner after discovering the need.

2. **APRIL 1, 2011**, for plaintiff to identify Rule 26 testifying experts and provide the experts' Rule 26 reports.
JUNE 1, 2011, for defendant to identify Rule 26 testifying experts and provide experts' Rule 26 reports.

AUGUST 1, 2011, to complete **ALL** discovery, including expert discovery. Any written discovery served subsequent to the date of this Order to be served by a date that allows the served party the full 30 days provided by the Federal Rules of Civil Procedure in which to comply.

3. Motions to compel and other motions relating to discovery shall be pursued in a diligent and timely manner in undertaking the discovery and coming to the Court on the matter that is the subject of the motion. The parties are required to meet and confer on the discovery dispute as required by Rule 37(a). Failure to comply subjects the motion to being denied. All motions to compel that do not contain the certification required by Rule 37 that the parties met, conferred and attempted to resolve the discovery dispute will be denied.

4. **OCTOBER 3, 2011**, to file dispositive motions.
No dispositive motions filed after that date will be considered unless deemed otherwise by the trial Judge.

5. **DECEMBER 22, 2011**, at **2:30 p.m.** for a Final Pre-trial Conference (IN PERSON) in Courtroom 1 in Springfield, Illinois, before Chief U. S. District Judge Michael P. McCuskey.. All Motions in Limine to be filed on or prior to the Final Pre-Trial date. (See Local Rule 16.1 - Pre-Trial Procedures).

6. **JANUARY 9, 2012**, at **9:00 a.m.** for trial in Courtroom 1 in Springfield, Illinois, before Chief U. S. District Judge Michael P. McCuskey.

7. The attorneys are to bring to the Final Pre-trial Conference their proposed jury instructions or, if non-jury, Rule 52(a) findings of fact and conclusions of law.

8. The parties are to confer together immediately concerning provisions for discovery or disclosure of electronically stored information. (See Rule 16(b)(5) and (6) and Rule 26(f) pertaining to electronically stored information). If the parties cannot agree upon a process/procedure for the discovery of electronically stored information, a status report with proposals for the discovery of electronically stored information shall be filed with the Court by March 25, 2011.

NOTE: A CONTINUANCE OF THE TRIAL DATE AND/OR FINAL PRE-TRIAL DATE, DOES NOT ALTER OR EXTEND ANY OF THE OTHER ABOVE DATES.

ANY CONFLICTS BETWEEN THE SCHEDULING ORDER AND THE PROPOSED DISCOVERY PLAN SHALL BE CONTROLLED BY THE SCHEDULING ORDER

ENTERED: January 25, 2011

COPIES SENT TO: All attorneys of record.

s/Charles H. Evans
CHARLES H. EVANS
United States Magistrate Judge