

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

VS.

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CIVIL NO.

SCHEDULING ORDER

Pursuant to Rule 16, Federal Rules of Civil Procedure, the following Scheduling Order is issued by the Court:

1. A report on alternative dispute resolution in compliance with Local Rule CV-88 shall be filed by \_\_\_\_\_.
2. The parties asserting claims for relief shall submit a written offer of settlement to opposing parties by \_\_\_\_\_, and each opposing party shall respond, in writing, by \_\_\_\_\_. 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 attorney's fees and court costs at the conclusion of trial.
3. The parties shall file all motions to amend or supplement pleadings or to join additional parties by \_\_\_\_\_.
4. All parties asserting claims for relief shall FILE their designation of testifying experts and SERVE on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B) by \_\_\_\_\_. Parties resisting claims for relief shall FILE their designation of testifying experts and SERVE on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B) by \_\_\_\_\_. All designations of rebuttal experts shall be FILED, and the materials required by Fed. R. Civ. P. 26(a)(2)(B) for such rebuttal

experts, to the extent not already served, shall be SERVED, within 15 days of receipt of the report of the opposing expert.

5. An 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, within 11 days of receipt of the written report of the expert's proposed testimony, or within 11 days of the expert's deposition, if a deposition is taken, whichever is later.

6. The parties shall complete all discovery on or before \_\_\_\_\_. Counsel may by agreement continue discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.

7. All dispositive motions shall be filed no later than \_\_\_\_\_ and shall be limited to ten (10) pages in length. Responses shall be filed within eleven (11) days of service of the motion and shall be limited to ten (10) pages. Any replies shall be filed within eleven (11) days of service of the response and shall be limited to five (5) pages, but the Court need not wait for the reply before ruling on the motion.

8. **There is no trial date scheduled at this time.** The parties will be notified of the trial setting by separate order. The parties should consult Local Rule CV-16(e) regarding matters to be filed in advance of trial.

SIGNED and ENTERED this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
JAMES R. NOWLIN  
SENIOR UNITED STATES DISTRICT JUDGE

PLEASE CALL LINDA CLEVINGER AT (512) 916-5896, EXT. 235, IF YOU HAVE ANY QUESTIONS