

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

v.

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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 Rule CV-88 shall be filed on or before _____.

2. The parties asserting claims for relief shall submit a written offer of settlement to opposing parties on or before _____, and each opposing party shall respond in writing on or before _____. 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 may 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. 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.

5. 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 Federal Rule of Civil Procedure 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 Federal Rule of Civil Procedure 26(a)(2)(B) on or before _____. All designations of rebuttal experts shall be filed within 14 days of receipt of the report of the opposing expert.

6. 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, 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.

7. Unless otherwise specifically stated herein, all dispositive motions and non-dispositive pleadings shall comply with the Federal Rules of Civil Procedure and the Local Court Rules.

8. All dispositive motions as defined by CV-7(c) shall be filed no later than and served on all other parties on or before _____.

The parties shall not complete the following paragraph. It will be completed by the Court at the initial pretrial conference to be scheduled by the Court.

9. This case is set for pretrial conference on _____, 20____ at _____. This case is set for trial on _____, 20____. The parties should consult Local Rule CV-16 regarding matters to be filed in advance of the final pretrial conference.

SIGNED this _____ day of _____, 20_____.

MARK LANE
UNITED STATES MAGISTRATE JUDGE

September 2012