

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

IN RE: §
CASES FILED BY §
RECORDING COMPANIES §
§

STANDARD 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 **ten (10) days after receipt of offer**. All offers of settlement are to be private, not filed. The parties are ordered to retain the written offers of settlement and response as the Court will use these in assessing attorneys' fees and costs at the conclusion of the 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) on or before _____. 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) on or before _____. All parties shall file all designations of rebuttal experts and serve on all parties the material required by Federal Rule of Civil Procedure 26(a)(2)(B) for such rebuttal experts, to the extent not

already served, within fifteen (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 **eleven (11)** days from the receipt of the written report of the expert's proposed testimony, or within **eleven (11)** days from the completion 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 the Court will not intervene, except in extraordinary circumstances, nor will it vacate any trial setting because of information obtained in post-deadline discovery.
7. All dispositive motions shall be filed no later than _____. Dispositive motions as defined in Local Rule CV-7(h). Both dispositive motions and responses thereto shall be limited to twenty-five pages in length. Dispositive motions, responses and replies shall otherwise be filed in compliance with the local rules.
8. This case will be set for trial at a later date. The parties should consult Local Rule CV-16(e) regarding matters to be filed in advance of trial.

The deadlines set forth herein may only be extended by Order of this Court based upon good cause shown. The Court may impose sanctions under Rule 16(f), Fed. R. Civ. P., if the parties do not make timely submissions under this Order.

SIGNED this _____ day of _____, 20_____.

ROBERT PITMAN
UNITED STATES MAGISTRATE JUDGE