

Iowa Tribe of Oklahoma)	
Plaintiff)	
)	
vs.)	Case No. <u>CIV-15-1379-R</u>
)	
State of Oklahoma)	TRIAL DOCKET
Defendant)	

SCHEDULING ORDER

Date 4/5/16 Judge DAVID RUSSELL Clerk Janet Wright

Appearing for Plaintiff William McCullough

Appearing for Defendant Jeffrey Cartmell

Jury Trial Demanded _____ Non-Jury Trial _____

THE FOLLOWING DEADLINES ARE SET BY THE COURT

- | | |
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| <p>1. Motions to join additional parties to be filed w/i _____.</p> <p>2. Motions to amend pleadings to be filed w/i _____.</p> <p>3. (a) Plaintiff to file a final list of expert witness(es) in chief and submit expert reports to defendant by _____.*</p> <p>(b) Defendant to file a final list of expert witness(es) in chief and submit expert reports to plaintiff by _____.*</p> <p>4. (a) Plaintiff to file a final list of witnesses, together with addresses and brief summary of expected testimony where a witness has not already been deposed by _____.*</p> <p>(b) Defendant to file a final list of witnesses (as described above) 14 days thereafter.*</p> <p>5. Plaintiff to file a final exhibit list by: _____.* Defendant to file objections to Plaintiff's final exhibit list, under Fed. R. Civ. P. 26(a)(3)(B), by _____.</p> <p>Defendant to file a final exhibit list by.* Plaintiff to file objections to Defendant's final exhibit list, under Fed. R. Civ. P. 26(a)(3)(B), by <u>14 days thereafter</u>.</p> | <p>testify and no exhibit will be admitted in any party's case in chief unless such witness or exhibit was included in the party's filed witness or exhibit list.</p> <p>6. Discovery to be completed by _____.</p> <p>7. All dispositive and <i>Daubert</i> motions to be filed by _____.</p> <p>If the deadline for dispositive motions and <i>Daubert</i> motions precedes the discovery deadline, the parties are expected to conduct any discovery necessary for such motions in advance of the motion deadline.</p> <p>8. Trial docket__**</p> <p>**Trial dockets generally begin the second TUESDAY of each month; however, this practice varies, particularly during holidays. The published trial docket will announce the trial setting.</p> <p>The interval between the dispositive motion deadline (¶ 7) and the trial docket (¶ 8) is relatively inflexible. An extension of time to file or respond to a motion for summary judgment will likely affect the trial setting.</p> <p>9. Designations of deposition testimony to be used at trial to be filed by _____. Objections and counter-designations to be filed by _____.</p> |
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***The listing of witnesses and exhibits shall separately state those expected to be called or used and those which may be called or used if the need arises. Except for good cause shown, no witness will be permitted to**

- 10. Motions in limine to be filed by_____
- 11. Requested voir dire to be filed by_____.
- 12. Trial briefs (optional unless otherwise ordered) to be filed by _____.
- 13. Requested jury instructions to be filed on or before _____.***
- 14. NON-JURY CASES ONLY: Proposed findings and conclusions of law to be filed no later than _____.***
- 15. Any objection or responses to the trial submissions referenced in 10, 11, 12, 13, or 14 to be filed within five (5) days thereafter.
- 16. Proposed final pretrial report, approved by all counsel, **and in full compliance** with Local Rules (see Appendix IV), together with a proposed order approving the report, to be submitted to the Court by _____.

*****In addition to filing, the parties are encouraged, but not required, to submit their proposed jury instructions or findings of fact and conclusions of law in WordPerfect format to the Clerk via the Court's designated mail box: russell-orders@okwd.uscourts.gov**

17. This case is referred to the following Court-sponsored ADR/settlement process or special trial track:

- ___ by agreement of the parties, with the approval of the Court:
- ___ by Order of the Court:
- ___ Mediation
- ___ Judicial Settlement Conference
- ___ Other _____

If the case is referred to mediation or some other form of private ADR, the process shall be completed and a report filed with the Court by the parties, stating whether the case settled, not later than _____.

- 18. Except as may be otherwise specifically ordered by the assigned judge, this case will not be scheduled for a judicial settlement conference unless, within ten calendar days after the trial docket is published, the parties file a joint motion requesting a judicial settlement conference. The motion shall provide reasons justifying the commitment of court resources to the settlement process, and shall describe the reasons for which efforts to settle the case by other means have been unsuccessful.
- 19. _____ The parties consent to trial by a Magistrate Judge.
- 20. Initial disclosure pursuant to Fed. R. Civ. P. 26 has been made _____; is excused _____; or shall be made no later than _____.
- 21. Other: In accordance with the status conference held on April 5, 2016, parties are to prepare and submit an agreed order within 10 days of the date of this order.

BY ORDER OF THE COURT
CARMELITA REEDER SHINN, CLERK

By _____s/Janet Wright
Deputy Clerk