

2. **Discovery.** All discovery must be initiated in time to be completed by **May 14, 2002.** This includes the use of subpoenas to obtain documents from third parties under Rule 45, and the supplementation of discovery responses as required by Rule 26(e) of the Federal Rules of Civil Procedure. The presumptive limit of 10 depositions per side, seven hours per deposition, and 25 interrogatories per party shall apply in this case. *See* FED. R. CIV. P. 30(a)(2)(A) & 33(a). No other limitations on discovery are imposed at this time.

3. **Expert Witnesses.** A party with the burden of proof on a claim or defense must designate expert witnesses by **March 15, 2002.** A party who intends to offer expert evidence “intended solely to contradict or rebut evidence on the same subject identified by another party” must designate expert witnesses by **April 15, 2002.** The designation of experts must comply with the provisions of Rule 26(a)(2) of the Federal Rules of Civil Procedure, including the preparation of a written report signed by the expert. However, a written report is only required from a witness “who is retained or specially employed to provide expert testimony in the case or whose duties as an employee of the party regularly involve giving expert testimony.” *See* FED. R. CIV. P. 26(a)(2)(B).

4. **Amendment of Pleadings.** Motions for leave to amend pleadings must be filed by **January 17, 2002.** A timely-filed motion will be granted as a matter of course absent a showing of prejudice or futility. *See* FED. R. CIV. P. 15(a). No amendments will be allowed after this deadline except upon a showing of good cause. *See* FED. R. CIV. P. 16(b).

5. **Joinder of Parties.** All parties must be joined by **January 17, 2002.**

6. **Initial Disclosures.** Initial disclosures must be made by **December 31, 2001.** Such disclosures shall comply with Rule 26(a)(1) of the Federal Rules of Civil Procedure. *See* FED. R. CIV. P. 26(a)(1).

The parties may modify any of these pretrial deadlines by agreement, except the deadline for filing dispositive motions. A formal motion to modify is not required. The parties may simply notify the Court of their agreement by letter. The deadline for filing dispositive motions will not be modified except upon written motion for good cause shown.

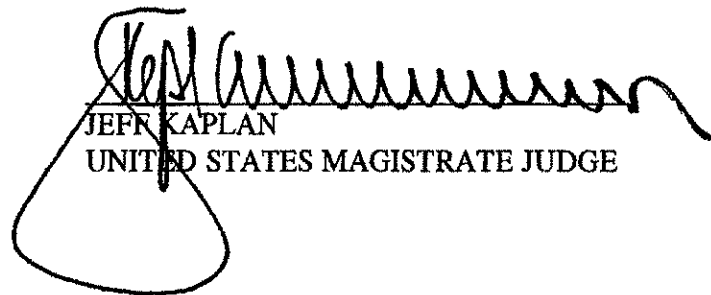
The Court will set this case for trial by separate order after all dispositive motions have been decided. The order will establish trial-type deadlines, including a deadline for submitting a joint pretrial order, witness lists, exhibit lists, deposition excerpts, and a proposed jury charge or findings of fact and conclusions of law. Deadlines will also be established for filing motions in limine and other trial-related motions.

The failure to comply with any part of this order may result in the imposition of sanctions.

See FED. R. CIV. P. 16(f).

SO ORDERED.

DATED: October 24, 2001.


JEFF KAPLAN
UNITED STATES MAGISTRATE JUDGE