

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

VOICE OF THE EXPERIENCED, ET AL

CIVIL ACTION

VERSUS

NO. 23-331-JWD-SDJ

R. KYLE ARDOIN

ORDER

Before the Court are two motions—one by Plaintiffs (R. Doc. 136) and one by Defendant (R. Doc. 138)—requesting amendment to the Scheduling Order, including extensions of fact and expert discovery deadlines. Following a hearing on the Motions on January 16, 2024 (R. Doc. 142), Plaintiffs’ Motion (R. Doc. 136) is **GRANTED in part and DENIED in part**—it is granted to the extent that the fact discovery deadline is extended but denied as to Plaintiffs’ proposed date. Defendant’s Motion (R. Doc. 138) is similarly **GRANTED in part and DENIED in part**—it is granted to the extent that discovery and pre-trial deadlines are extended but denied as to Defendants’ proposed dates.

Defendant’s additional Motion for Extension of Time to Respond to Discovery Requests (R. Doc. 138, included with Motion to Amend Scheduling Order) is **GRANTED**, and Defendants will have an additional thirty days to respond to discovery requests propounded on December 22, 2023.

Finally, **IT IS ORDERED** that the Scheduling Order is amended as follows:

1. The deadline to join other parties or to amend the pleadings is **expired**.¹

¹ Amendments sought after this deadline may be permitted in accordance with the good cause standard of Rule 16 of the Federal Rules of Civil Procedure. This deadline does not preclude leave to amend following a ruling on the pending motion to dismiss.

2. Discovery must be completed as follows:
 - a. Exchanging initial disclosures required by F.R.C.P. 26(a)(1): **expired.**
 - b. **Filing** all discovery motions and **completing** all discovery except experts: **April 30, 2024.**

NOTE: Any motions filed regarding discovery must be accompanied by a certificate of counsel for the moving party, stating that counsel have conferred in person or by telephone for purposes of amicably resolving the issues and stating why they are unable to agree or stating that opposing counsel has refused to so confer after reasonable notice.

- c. Disclosure of identities, resumés, *and subject* of experts:

Plaintiff(s): April 30, 2024.

Defendant(s): May 14, 2024.

- d. Expert reports must be submitted to opposing parties as follows:

Plaintiff(s): May 10, 2024.

Defendant(s): May 31, 2024.

- e. Discovery from experts must be completed by **June 28, 2024.**

3. Deadline to file dispositive motions and Daubert motions: **July 15, 2024.**

4. Deadline to file pre-trial order: **November 4, 2024.**²

Prior to the filing of the pretrial order, the parties will exchange or make available for inspection all exhibits which the parties will or may introduce at trial.

5. Deadline to file motions in limine: **December 2, 2024.**

6. Deadline to file an affidavit of settlement efforts: **December 2, 2024.**

7. Pre-trial conference date: **November 21, 2024, at 2:00 p.m.** in the chambers of the Honorable John W. deGravelles.

² Motions to extend or otherwise modify this date and the dates/deadlines that follow shall be directed to the district judge.

8. Deadline to file Proposed Findings of Fact and Conclusions of Law and trial briefs: **January 6, 2025.**

The information regarding the Honorable John W. deGravelles' pretrial order may be found on the court's website at (<http://www.lamd.uscourts.gov>) under "Judges' Info."

9. A **4-day bench trial** is scheduled for **9:00 a.m. beginning on January 21, 2025, in Courtroom 1.**

The time limits set forth in this order shall not be modified except by leave of court upon a showing of good cause. Joint, agreed, or unopposed motions to extend scheduling order deadlines will not be granted automatically. All motions to extend scheduling order deadlines must be supported by facts sufficient to find good cause as required by Rule 16, Fed.R.Civ.P. Extensions of deadlines governing discovery must be supported with information describing the discovery already completed, what necessary discovery remains, the parties' efforts to complete the remaining discovery by the deadline, and any additional information showing that the parties have diligently pursued their discovery. Further, a motion to extend any deadline set by this Order must be filed before its expiration.

Pursuant to Local Civil Rule 16(c), whenever a civil case is settled or otherwise disposed of, counsel shall **immediately** file a **Joint Notice of Settlement**, signed by counsel for Plaintiff, into the record. Additionally, counsel shall **immediately** inform the Clerk's office, the Judge to whom the case is assigned, and shall comply with LR45(b) relative to all persons subpoenaed as witnesses. If a civil case is settled as to fewer than all of the parties or all of the claims, the Joint Notice shall also set forth the remaining parties and unsettled claims. The Joint Notice may also include a request for a conditional order of dismissal, allowing for reinstatement of the matter if the settlement is not consummated within the time stated in the order of dismissal.

Parties are directed to consult the Middle District's Administrative Procedures which contains additional mandatory filing rules and procedures. The Administrative Procedures are available for viewing and download on the court's website (<http://www.lamd.uscourts.gov>) under "E-Filing," "CM/ECF Info," "Administrative Procedures."

The parties may contact the court at (225) 389-3592 should they wish to schedule a settlement conference.

Signed in Baton Rouge, Louisiana, on January 23, 2024.



SCOTT D. JOHNSON
UNITED STATES MAGISTRATE JUDGE

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