

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

Plaintiff(s)

vs.

Case Number: _____

District Judge _____

Defendant(s).

PRELIMINARY PRETRIAL CONFERENCE ORDER

A preliminary pretrial conference was held (by telephone) in this case at ____ on ____.

_____ appeared on behalf of Plaintiff(s); _____ appeared on behalf of Defendant(s).

PERTINENT SETTINGS

1. Settlement demand by Plaintiff upon Defendant to be made by: _____

2. "Cut-off" date for filing of motions directed to pleadings
(including motions to amend, to add parties, or to dismiss): _____

Following this date, amendment to pleadings and motions
directed to pleadings may be made only
upon leave of Court, with notice to opposing counsel.

3. Date for disclosures required by Fed. R. Civ. P. 26(a)(1) _____

4. Date for exchanging lists of lay witnesses with synopsis
of their testimony _____

5. Dates for exchanging lists of expert witnesses,
together with a copy of the expert's report under Fed. R. Civ. P.
26(a)(2)(B) or disclosure under Fed. R. Civ. P. 26(a)(2)(C):

Plaintiff(s) primary experts to Defendant(s): _____

Defendant(s) primary experts to Plaintiff(s): _____

6. Dates for exchanging lists of rebuttal experts:
 Plaintiff(s) rebuttal experts to Defendant(s): _____
 Defendant(s) rebuttal experts to Plaintiff(s): _____
7. Requests for admissions: _____
8. "Cut-off" deadline for discovery _____
9. "Cut-off" date for filing of motions not directed to pleadings (including motions for summary judgment): _____
10. Joint Final Pretrial Order by parties to be filed no later than: _____
11. Trial exhibits to be exchanged by: _____
12. Final Pretrial Conference to be held:
 In Chambers on: _____
 By Telephone Conference Call on: _____
13. Trial on the merits,
 before the Court, beginning: _____
 to a Jury, beginning: _____
14. Further status conference set for: _____
15. The Law Clerk assigned to this case is: _____

ALL discovery must be concluded, as opposed to simply being requested, by the discovery deadline. For example, interrogatories, which have a thirty day response time, must be served on the opposing party in sufficient time to allow that party to respond prior to the discovery deadline. In the absence of extraordinary cause, the Court will not extend the discovery deadline if doing so would adversely impact the trial date or the summary judgment filing deadline.

Referral to United States Magistrate Judge

Pursuant to 28 U.S.C. § 636(b)(1)(A), (B) and (C) and §636(b)(3), the above-captioned matter is hereby referred to the assigned United States Magistrate Judge from the date of this Order until the discovery deadline set herein or hereafter extended. At that time, the District Judge will resume management of the case through resolution or trial. The Magistrate judge to whom the case is

referred is hereby authorized to perform any and all functions authorized for full-time United States magistrate judges by statute except that, unless specifically ordered, the following motions are not referred, regardless of when they may be filed: (1) motions for temporary restraining order or preliminary injunction; (2) motions for summary judgment, including *Markman* hearings in patent cases; (3) motions for class certification; and (4) motions in limine relating to the admission of evidence at trial.