

DJW/bh

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

ALBERT N. COLLINS, et al.,

Plaintiffs,

v.

Case No. 06-2466-CM-DJW

WAL-MART, INC., d/b/a SAM'S CLUB, et al.,

Defendants.

AMENDED SCHEDULING ORDER

Pending before the Court is the parties' Joint Motion to Amend Scheduling Order (doc. 103).

For good cause shown, the Motion is granted. The Scheduling Order is amended as follows:

1. All discovery shall be commenced or served in time to be completed by **March 11, 2008.**

2. The **final pretrial conference** is continued to **March 24, 2008 at 11:00 a.m.**, and **shall take place by telephone conference call**. No later than **March 17, 2008**, Defendants shall submit the parties' proposed pretrial order (formatted in WordPerfect X3, or earlier version) as an attachment to an Internet e-mail sent to ksd_waxse_chambers@ksd.uscourts.gov. The proposed pretrial order shall be in the form available on the Court's website (www.ksd.uscourts.gov). As the Pretrial Conference will proceed by telephone, please e-mail Lori Lopez with the appropriate contact information, at ksd_waxse_chambers@ksd.uscourts.gov at least 48 hours prior to the setting.

3. Dispositive motions shall be filed by **April 4, 2008.**

4. All motions to exclude testimony of expert witnesses pursuant to Fed. R. Evid. 702-705, *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), *Kumho Tire Co. v. Carmichael*, 526 U.S. 137 (1999), or similar case law, shall be filed no later than **April 4, 2008.**

5 After consultation with the District Judge, the trial is continued from the September 2, 2008 trial docket to a trial docket set to begin on **October 6, 2008 at 1:30 p.m.** Unless otherwise ordered, this is not a “special” or “No. 1” trial setting. Therefore, during the month preceding the trial docket setting, counsel should stay in contact with the trial judge’s courtroom deputy to determine the day of the docket on which trial of the case actually will begin. The trial setting may be changed only by order of the judge presiding over the trial.

The schedule adopted in this Order shall not be modified except by leave of court upon a showing of good cause.

IT IS THEREFORE ORDERED that the parties’ Joint Motion to Amend Scheduling Order (doc. 103) is granted and the Scheduling Order amended as set forth herein.

IT IS SO ORDERED.

Dated in Kansas City, Kansas on this 7th day of February 2008.

s/ David J. Waxse
David J. Waxse
United States Magistrate Judge

cc: All counsel and *pro se* parties