

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

TODD A. LEACH,

Plaintiff,

Civil Action

v.

No. 07-2212-KHV-DJW

UNION PACIFIC RAILROAD CO.,

Defendant.

ORDER

Pending before the Court is the parties' Joint Motion to Stay the Case (doc. 26). For good cause shown, the motion is granted and the Scheduling Order is amended as follows:

. Disclosures required by Fed. R. Civ. P. 26(a)(2), including reports from retained experts, are due from Plaintiffs by **June 27, 2008**, and from Defendant by **August 13, 2008**.

Disclosures and reports by any rebuttal experts are due by **September 12, 2008**.

. Any Fed. R. Civ. P. 35 independent physical or mental examination shall be completed by **August 13, 2008**.

. Mediation or other alternative dispute resolution process shall be completed by **May 30, 2008**.

. All discovery shall be commenced or served in time to be completed by **October 28, 2008**.

. The **final pretrial conference** is continued to **November 24, 2008 at 11:00 a.m.** and **shall take place by telephone conference call**. No later than **November 14, 2008**, Defendant 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.

. Dispositive motions shall be filed by **December 12, 2008**.

. 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 **December 12, 2008**.

. After consultation with the District Judge, the trial is continued from the January 6, 2009 trial docket to a trial docket set to begin on **April 7, 2009 at 9:30 a.m.** A status conference will be held on **March 9, 2009 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 Stay the Case (doc. 26) is granted, and the Scheduling Order is amended as set forth herein.

IT IS SO ORDERED.

Dated in Kansas City, Kansas on this 31st day of March 2008.

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

cc: All counsel and *pro se* parties