

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

MARY LOCKAS,

Plaintiff,

v.

Case No. 18-1215-EFM

LOWE'S HOME CENTERS, L.L.C., et al.,

Defendants.

**ORDER**

On November 6, 2018, the undersigned U.S. Magistrate Judge, James P. O'Hara, convened what was scheduled to be a telephonic scheduling conference. Plaintiff appeared through counsel, Brian D. Pistotnik. Defendant Lowe's Home Centers, L.L.C. appeared through counsel, Jerry D. Hawkins. Defendant Brightview Landscapes, L.L.C. appeared through counsel, Scott E. Sanders.

About 30 minutes before the conference began, the parties filed a joint motion "to correct caption and allow a third-party complaint" (ECF No. 26). Based on this motion, the scheduling conference was converted to a status conference. After a discussion with the parties, the court granted the motion—at least in substantive effect, if not as to its procedural particulars.

The parties agreed that plaintiff would file an amended complaint naming the proper

Brightview defendant, identified as BrightView Enterprise Solutions, LLC (“BVES”).<sup>1</sup> This complaint shall be filed by **November 16, 2018**, with service of process effectuated shortly thereafter. The parties also agreed BVES could file a cross-claim against its snow-removal contractor within the time allotted for BVES to respond to the amended complaint.

The court re-set the scheduling conference for **January 31, 2019, at 9:00 a.m.** by telephone. All participants must call the conference line at 1-888-363-4749 and enter access code 8914911 for the conference. By **January 24, 2019**, plaintiff must submit the updated report of the parties’ planning conference to the chambers of the undersigned, along with copies of the parties’ Rule 26(a) initial disclosures. The report must follow the prescribed form and must be submitted electronically in .pdf and word format as an attachment to an e-mail sent to ksd\_ohara\_chambers@ksd.uscourts.gov.

IT IS SO ORDERED.

Dated November 6, 2018, at Kansas City, Kansas.

s/ James P. O’Hara  
James P. O’Hara  
U.S. Magistrate Judge

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<sup>1</sup> Mr. Sanders agreed to provide the corporate details for BVES to Mr. Pistotnik.