

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

HARRY R. WIEDENBECK and
RHONDA L. WIEDENBECK, on behalf of
themselves and all others who are similarly situated,

Plaintiffs,

v.

ORDER

12-cv-508-wmc

CINERGY HEALTH, INC.
AMERICAN MEDICAL AND LIFE INSURANCE COMPANY
and NATIONAL CONGRESS OF EMPLOYERS, INC.,

Defendants.

It having been brought to the court's attention that the original scheduling order did not have the correct procedural attachment, the court provides the following order setting new pretrial deadlines in an effort to provide more guidance to the parties as they prepare for trial.

ORDER

IT IS ORDERED that:

- 1) On or before Friday, May 16, 2014, the parties shall provide opposing counsel and the court:
 - a) Rule 26(a)(3) disclosures.
 - b) Motions in limine.
 - c) A short, written narrative statement of each expert's background and experience. These statements will be read to the jury and no proof will be received on the matters covered unless an objection to the narrative statement is filed.
 - d) A list of portions of depositions, to be offered into evidence at trial, by page and line references for witnesses *unavailable at trial*. Extensive reading from depositions is strongly discouraged. Toward that end, the proponent of a deposition may -- though is not required to -- prepare a written narrative summary of some or all deposition transcripts the party intends to offer into evidence, with annotated page and line references in parenthesis after each sentence, in lieu of part or all of the narrative of questions and answers.

- 2) On or before Friday, May 23, 2014, the parties shall provide opposing counsel and the court:
 - a) Exhibit lists on the court's standard form. Any exhibits not listed shall be excluded from admission into evidence except upon good cause shown.
 - b) Additional voir dire questions.
 - c) Proposed verdict forms.
 - d) Proposed jury instructions.
 - e) In addition to electronically filing voir dire questions, verdict forms and jury instructions, please submit to the court an electronic copy of each in Microsoft Word format to wiwd_wmc@wiwd.uscourts.gov.
- 3) On or before Friday, May 30, 2014, the parties shall provide opposing counsel and the court:
 - a) Responses to motions in limine.
 - b) Objections to exhibits, narrative statements and deposition excerpts or summaries.
 - c) Responses to opposing parties' voir dire questions, verdict forms, and jury instructions.
- 4) Counsel are directed to consult in good faith and reach resolution to the extent possible on the admissibility of exhibits, narrative statements and deposition excerpts or summaries. Each party shall file copies of any remaining, *contested* exhibits, summaries or excerpts they intend to offer with the court by 12:00 p.m. on Friday, June 6, 2014.
- 5) The final pre-trial conference shall be held on Tuesday, June 10, 2014 at 3:00 p.m.
- 6) The trial shall commence Monday, June 16, 2014 at 9:00 a.m. The parties should plan to meet with the court at 8:00 a.m. that morning for any additional matters that need to be brought to the court's attention.

Entered this 8th day of January, 2014.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge