

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

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BIEWER-WISCONSIN SAWMILL, INC.,

Plaintiff,

v.

FREMONT INDUSTRIES, INC.,

Defendant and  
Third-Party Plaintiff,

v.

DONALD W. BARRS, d/b/a BARRS MECHANICAL DESIGN,  
COE NEWNES McGEHEE, f/k/a COE MANUFACTURING. CO.,  
KILNSIGHT, LLC,  
PIERCE CONSTRUCTION, INC., and  
THE TEAFORD COMPANY INC.,

Third Party Defendants,

and

EVANSTON INSURANCE COMPANY, and  
MARKEL AMERICAN INSURANCE COMPANY,

Intervening Defendants.

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On May 18, 2007 new third-party defendant Coe requested a telephonic status conference so that the five new third-party defendants may obtain guidance from the court on the applicability of certain deadlines in this case, specifically the initial disclosure requirements of Rule 26(a)(1) and the deadline to amend pleadings without leave of court. *See* dkt. 68.

The court will hold such a conference if necessary, but perhaps this explanation will obviate the need: hewing to the purpose of Rule 26(a)(1), the court presumes that a new party's disclosure deadline falls 30 days after the party files its first pleading (or first motion to dismiss)

in this case. If a new defendant has missed this deadline, then that party should provide its initial disclosures as soon as possible but not later than June 1. New defendants whose 30 days will run after June 1 may use the longer date. If the parties reach a consensus that everyone should get the benefit of the longest date, that is fine with the court, but not mandated.

The court's rule of thumb is that parties may amend their pleadings without leave of court for about two weeks after initial disclosures are due (which in the ordinary sequence would fall about six weeks after the preliminary pretrial conference). Mirroring the previous paragraph, every new defendant in this case may have six weeks after filing its first answer within which to amend without leave of court, or until June 14, 2007, whichever is later. As above, if efficiency leads the parties to agree on a uniform date, they may do so.

If the parties need more guidance than this, they may telephone chambers to request a telephonic hearing and the court will hold one. For completeness's sake, I am attaching a copy of the court's preliminary pretrial conference order in this case along with the usual standing orders. All apply to all parties in this case.

Entered this 21<sup>st</sup> day of May, 2007.

BY THE COURT:  
/s/  
STEPHEN L. CROCKER  
Magistrate Judge