

IN THE EIGHTEENTH JUDICIAL DISTRICT
DISTRICT COURT, SEDGWICK COUNTY, KANSAS
CIVIL DEPARTMENT

Janice Baston, etal.

vs.

Case No. 2009-CV-003598-OT

City Of Derby, Kansas, etal.

SCHEDULING ORDER

NOW on Wednesday, November 18, 2009, this matter came before the Court for a Discovery Conference. Plaintiff, Janice Baston, etal. appeared through counsel, Mark L Rouleau. Defendant, City Of Derby, Kansas, appeared through counsel, David Michael Rapp. Defendant, Kathleen Sexton, appeared through counsel, David Michael Rapp.

WHEREUPON, after hearing statements of counsel, the Court entered the following orders:

1. All written discovery shall be submitted so that responses will be due on or before discovery cutoff. Depositions of parties and fact witnesses shall be completed by discovery cutoff.
2. Plaintiff(s) shall serve expert witness disclosures upon defendant(s) by January 29, 2010. Such disclosures must comply with K.S.A. 60-226, and must be accompanied by a list of dates on which the expert is available for his or her deposition, a statement of the fees which the expert will charge for the deposition, and a list of the expert's case testimony for the last four years.
3. Defendant(s) shall serve expert witness disclosures upon Plaintiff(s) by March 1, 2010. Such disclosures must comply with K.S.A. 60-226 and must be accompanied by a list of dates on which the expert is available for his or her deposition, a statement of the fees which the expert will charge for the deposition, and a list of the expert's case testimony for the last four years.
4. All the depositions of experts shall be completed by discovery cutoff. If experts are not deposed by deadline, counsel waives the right to depose.
5. Supplemental expert disclosures may be made. If done within ten days after the initial disclosure, the supplemental disclosure may cure an otherwise defective initial disclosure. Except for good

cause shown, all supplemental disclosures must be made at least seven days prior to the scheduled deposition of the expert in question.

6. All discovery shall close on April 1, 2010. Requests for Admissions shall be filed at least 45 days prior to trial.

7. An agreed (formal) pretrial conference shall be held n/a or an agreed pretrial order shall be filed on or before April 8, 2010. The Pretrial Order is to be prepared by plaintiff. Pretrial questionnaires shall be exchanged at least 7 days prior to the pretrial conference.

8. Dispositive motions shall be filed on or before April 14, 2010.

9. Bench trial of this matter shall commence on June 2, 2010, and is estimated to last 2 days.

10. None of the dates and deadlines established herein, including the trial date, shall be modified without a hearing and good cause shown. Any request for modifications to this order made prior to discovery cutoff must be approved by the Civil Department Discovery Judge; thereafter, modifications shall be approved by the Civil Department Assignment Judge.

IT IS SO ORDERED.

Judge William S. Woolley

Attorney for Plaintiff

Attorney for Defendant