

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 2:16-CV-14195-ROSENBERG/HOPKINS

CRAIG PARHAM,

Plaintiff,

v.

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA,

Defendant.

SCHEDULING ORDER AND ORDER REFERRING CASE TO MEDIATION

Having considered the Joint Scheduling Report of the parties, the Court hereby **ORDERS** the following:

I. PRETRIAL DEADLINES

The pretrial deadlines in this case, which shall not be modified absent compelling circumstances, are as follows:

August 26, 2016: Rule 26(a)(1)(A) Initial Disclosures (if not provided earlier).

September 5, 2016: Deadline to designate a mediator and to schedule a time, date, and place for mediation.

September 5, 2016: Deadline for joinder of additional parties, amended pleadings, and motions for class certification.

February 28, 2017: The parties shall provide opposing counsel with a written list with the names and addresses of all primary/initial expert witnesses intended to be called at trial and only those primary/initial expert witnesses listed shall be permitted to testify.

The parties shall also furnish opposing counsel with expert reports or summaries of its

expert witnesses' anticipated testimony in accordance with Fed. R. Civ. P. 26(a)(2). Within the 30 day period following this disclosure, the parties shall make their experts available for deposition. The experts' deposition may be conducted without further Court order.

March 24, 2017: The parties shall provide opposing counsel with a written list with the names and addresses of all rebuttal/responsive expert witnesses intended to be called at trial and only those rebuttal/responsive expert witnesses listed shall be permitted to testify. The parties shall also furnish opposing counsel with expert reports or summaries of its expert witnesses' anticipated testimony in accordance with Fed. R. Civ. P. 26(a)(2). Within the 30 day period following this disclosure, the parties shall make their experts available for deposition. The experts' deposition may be conducted without further Court order.

Note: The above provisions pertaining to expert witnesses do not apply to treating physicians, psychologists or other health providers.

May 8, 2017: All discovery shall be completed.

May 29, 2017: All Pretrial Motions, including summary judgment motions, *Daubert* motions, and motions *in limine* shall be filed.

June 7, 2017: Mediation must be completed.

August 4, 2017: Joint Pretrial Stipulation shall be filed. Designations of deposition testimony shall be made. Parties shall also exchange Rule 26(a)(3) witness and exhibit lists.

August 11, 2017: Objections to designations of deposition testimony shall be filed. Late designations shall not be admissible absent exigent circumstances.

August 18, 2017: Jury Instructions or Proposed Findings of Fact and Conclusions of Law shall be filed.

II. MEDIATION

Pursuant to Local Rule 16.2, this case is referred to mediation as follows:

- a. Mediation shall be completed by the above stated deadline;
- b. The parties shall, within the deadline set forth above, agree upon a mediator and file a Notice of such with the Court. If the parties are unable to agree upon mediator, they shall ask the Clerk of Court to designate a mediator from the list of certified mediators on a blind random basis;
- c. Counsel for Plaintiff shall be responsible for coordinating the mediation conference date and location agreeable to the mediator and all counsel of record;
- d. Within seven (7) days of the mediation conference, the mediator shall file a Mediation Report indicating who attended the mediation and the result thereof; and
- e. The parties shall refer to the Court's Order Setting Status Conference, Calendar Call, and Trial Date for instructions on how to proceed after settlement.

DONE AND ORDERED in Chambers in Fort Pierce, Florida this 9th day of August, 2016.

ROBIN L. ROSENBERG
UNITED STATES DISTRICT JUDGE

Copies furnished to: All counsel of record via CM/ECF