

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

United States of America,)	
)	NO. CIV 09-0444-PHX-SRB
Plaintiff,)	
)	
vs.)	RULE 16
)	SCHEDULING ORDER
)	
Maria D. Forman, et al.)	
)	
Defendants.)	
)	

Pursuant to the terms of the Case Management Plan and the representations made by the parties at the Rule 16 Scheduling Conference, all parties shall comply with the deadlines established in this Order.

A. The Fed.R.Civ.P. as amended December 1, 2009, shall apply to all proceedings concerning this case.

B. All Initial Disclosures as defined in Fed.R.Civ.P. 26(a), if not already disclosed prior to the Scheduling Conference, shall be made **no later than five (5) days** after the date of entry of this Order, or in the alternative, no later than **November 1, 2010.**

C. To satisfy the requirements of Fed.R.Civ.P. 26(a), the parties shall file with the Clerk of the Court a Notice of Initial Disclosure, rather than copies of the actual disclosures.

D. Motions to Amend the Complaint, and to join additional parties shall be filed no

later than **December 1, 2010.**

E. No experts by either side.¹

F. All discovery, including answers to interrogatories, production of documents, depositions and requests to admit must be completed by **September 23, 2011.**

G. The parties are required to finally supplement all discovery, including material changes in expert witness opinions and disclosure, pursuant to Fed.R.Civ.P. 26(a)(3), of all exhibits to be used and all witnesses to be called at trial, on or before **August 23, 2011.** The parties are reminded that this order governs and supersedes the 30 days before trial disclosure deadline contained in Fed.R.Civ.P. 26(a)(3). Therefore, (1) failure to timely supplement Rule 26(a) disclosures, including witnesses and exhibits for trial, (2) failure to timely supplement responses to any valid discovery requests, and (3) attempts to include witnesses or exhibits in the Proposed Final Pretrial Order that were not previously disclosed in a timely manner may result in the exclusion of such evidence at trial or the imposition of other sanctions pursuant to Fed.R.Civ.P. 37, the Local Rules of the District Court, and the inherent power of the Court.

H. Discovery by interrogatory shall be governed by Fed.R.Civ.P. 33 unless otherwise ordered by the Court.

I. Depositions shall be limited as provided by Rules 30 and 31 of the Fed.R.Civ.P. unless granted permission to depart from these Rules by Order of this Court.

J. Motions on discovery matters are strongly discouraged. Parties are directed to

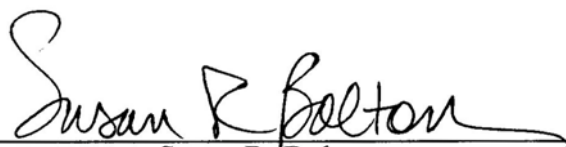
¹ The parties are hereby given notice that this Order requires disclosure different than that required by Federal Rule of Civil Procedure 26(a)(2).

LRCiv 7.2(j), which prohibits filing discovery motions unless parties have first met to resolve any discovery difficulties. If the parties cannot reach a resolution, they are directed to jointly arrange a conference call with the Court to resolve the matter orally lieu of filing a formal motion.

K. This Order contemplates that each party will conduct discovery to permit completion within the deadline. Any discovery which results in insufficient time to undertake necessary additional discovery and which requires an extension of the discovery deadline will be met with disfavor, will only be granted for good cause shown, and may result in denial of an extension, exclusion of evidence, or the imposition of other sanctions.

L. All dispositive motions shall be filed no later than **November 7, 2011**. **Each party shall file no more than one motion for summary judgment unless leave of Court is obtained.**

DATED this 28th day of September, 2010.

A handwritten signature in black ink, reading "Susan R. Bolton". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Susan R. Bolton
United States District Judge