

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

League of Women Voters,

Case No. 3:05CV7309

Plaintiff

v.

CASE MANAGEMENT ORDER

Kenneth Blackwell,

Defendant

Case management conference was held August 30, 2005.

The track designation is complex.

It is also

ORDERED THAT:

Amended pleadings to be filed/additional parties to be joined by September 30, 2006.

Re. discovery:

Rule 26 disclosures to be exchanged by September 15, 2006.

Discovery re. summary judgment to be completed by February 28, 2006; parties to work cooperatively to complete paper discovery by September 30, 2005; depose plaintiffs and their affiliated witnesses by October 31, 2005; plaintiffs' deposition of defense-affiliated officials and witnesses by December 15, 2005; and complete expert-related discovery by February 15, 2006.

. Resolution of discovery disputes:

No motion to compel may be filed unless the parties, as required by Local Rule

37.1, have undertaken in good faith to resolve discovery disputes, and, if unable to do so, have contacted the court with a request for judicial resolution.

A request for judicial resolution may be by mail, fax (419-259-6427), or e-mail [james_g_carr@ohnd.uscourts.gov.], with a copy of the request being provided immediately to opposing counsel, or by phone call [419-259-6420].

Expert discovery:

A party intending to offer expert testimony as to an issue as to which it has the burden of proof shall provide a copy of its expert(s) report(s) to opposing counsel, and produce its experts for deposition shortly thereafter; the party not having the burden of proof as to such issue shall thereafter likewise produce its expert(s) report(s) and expert(s) for deposition.

Expert discovery to be completed, as relevant, within the discovery deadlines set herein.

Re. dispositive motions.

Opposition to motion to dismiss due September 18, 2005; reply September 29, 2006.

Motion for summary judgment to be filed by March 1, 2006; opposition and cross-motion due March 20, 2006; reply and opposition due April 5, 2006; reply April 17, 2006.

Re. Trial:

Nonjury trial to commence June 13, 2006 at 8:30 a.m.

Motions in limine due June 1, 2006; opposition due June 9, 2006.

By June 1, 2006, the parties are to:

Mark and exchange exhibits and exchange witness lists.

Provide the court reporter with the names of all counsel and witnesses, a copy of exhibits and a glossary of scientific, technical, or similar terms and terminology and to inform the court reporter whether daily copy or other special services are desired.

Final pretrial conference May 30, 2006, at 10:00 a.m.; settlement conference to be held before United States Magistrate Judge at request of any party.

Parties are to appear in person with lead trial counsel; where a party is other than a natural person (e.g., corporation, governmental agency, etc.) a representative with full authority to negotiate and settle the case is to attend the conference.

Not later than two weeks prior to any settlement conference the plaintiff(s) shall have made a reasonable, good faith settlement demand on the defendant(s); not later than one week prior to any settlement conference the defendant(s) shall have made a reasonable, good faith offer to plaintiff(s).

One week prior to any settlement conference parties are to submit ex parte narrative settlement statements to the court. Submission may be by mail, fax (419 259-6427), or by e-mail (if by e-mail, copies to be sent to **both** james_g_carr@ohnd.uscourts.gov and Amy L. Schroeder@ohnd.uscourts.gov

All further proceedings are to be filed electronically. Failure of counsel to take all steps necessary to file and receive electronic pleadings, notices, and orders within four weeks of the CMC shall not be accepted as grounds for vacating any adverse action resulting from the non-receipt of any pleading, notice, or order that was filed by other counsel or the Court electronically.

So ordered.

s/James G. Carr
James G. Carr
Chief Judge