

FORM 1 (ND/SD Miss. DEC. 2004)

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA

Plaintiff

v.

CIVIL ACTION No. 4:05cv33-TSL-AGN

IKE BROWN, *ET AL.*

Defendants

CASE MANAGEMENT ORDER

This Order, including the deadlines established herein, having been established with the participation of all parties, can be modified only by order of the court upon a showing of good cause supported with affidavits, other evidentiary materials, or reference to portions of the record. IT IS HEREBY ORDERED:

- 1. **CASE TRACK:**

_____	Expedited		_____	Administrative
_____	Standard		_____	Mass Tort
X	Complex		_____	Suspension Track

2. **ALTERNATIVE DISPUTE RESOLUTION [ADR].**

X **A.** Alternative dispute resolution techniques appear helpful and will be used in this civil action as follows:

B. At the time this Case Management Order is offered it does not appear that alternative dispute resolution techniques will be used in this civil action.

3. **CONSENT TO TRIAL BY UNITED STATES MAGISTRATE JUDGE.**

_____ **A.** The parties consent to trial by a United States Magistrate Judge.

FORM 1 (ND/SD Miss. DEC. 2004)

X **B.** The parties do not consent to trial by a United States Magistrate Judge.

4. DISCLOSURE.

X **A.** The pre-discovery disclosure requirements of Uniform Local Rule 5.1(A) have been complied with fully.

B. The following additional disclosure is needed and is hereby ordered:

5. MOTIONS; ISSUE BIFURCATION.

A. The court finds and orders that early filing of the following motion(s) might significantly affect the scope of discovery or otherwise expedite the resolution of this action:

X **B.** The court finds and orders that staged resolution, or bifurcation of the issues for trial in accordance with FED. R. CIV. P. 42(b),

X **(1)** Will not assist in the prompt resolution of this action.

(2) Will not assist in the prompt resolution of this action.

Accordingly, the court orders that:

6. DISCOVERY PROVISIONS AND LIMITATIONS.

A. Interrogatories, Requests for Production, and Requests for Admissions are limited to 40 [Expedited: 15; Standard and Complex: 30] succinct questions.

B. Depositions are limited to the parties and no more than

25 [Expedited: 3; Standard: 5; Complex: 10] fact witness depositions per party without additional approval of the court. ***NOTE:** Because of the complex factual nature of this case, Plaintiff is allowed to take 25 fact witness depositions.*

FORM 1 (ND/SD Miss. DEC. 2004)

- C. X There are no further discovery provisions or limitations.
- D. The court orders that further discovery provisions or limitations be imposed:

7. **Scheduling Deadlines** *The appropriate scheduling deadlines based upon the track designation shall not be included in the proposed Case Management Order. (Deadlines shall be determined at the telephonic case management conference).*

SCHEDULING DEADLINES
(To be completed by the court only)

IT IS HEREBY ORDERED AS FOLLOWS:

8. Trial.

- A. This action is set for trial commencing on: October 16, 2006
- B. Reserved Trial Period (two-week limitation): October 16, 2006
- C. Conflicts (the court will only consider conflicts specified in this Case Management Order):
None
- D. This is a **non-jury** trial.

9. **Pretrial.** The pretrial conference is set on: September 11, 2006 before U.S. District Judge Tom S. Lee in Meridian, Mississippi

10. **Discovery.** All discovery shall be completed by: June 16, 2006

11. **Amendments.** Motions for joinder of parties or amendments to the pleadings shall be filed by: August 19, 2005

12. **Experts.** The parties' experts shall be designated by the following dates:

- A. Plaintiff: March 16, 2006

FORM 1 (ND/SD Miss. Dec. 2004)

B. Defendant: April 16, 2006

13. Motions All motions other than motions *in limine* shall be filed by: July 1, 2006

The deadline for motions *in limine* is ten days before the pretrial conference; the deadline for responses is five days before the pretrial conference.

14. Settlement Conference. The undersigned Magistrate Judge shall conduct a settlement conference at the James Eastland Courthouse, 245 E. Capitol Street, Conference Room 506, Jackson, MS on: a later date to be established upon request of the parties or *sua sponte* by the Court.

ORDERED: July 20, 2005

Date

s/ Alfred G. Nicols, Jr.

UNITED STATES MAGISTRATE JUDGE