

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Plaintiff(s), :

-v- : ___ Civ. _____ (KBF)

Defendant(s). :
----- X

SCHEDULING ORDER

KATHERINE B. FORREST, District Judge:

The parties propose the following schedule for this matter:

1. All parties [**do** / **do not**] consent to conducting all further proceedings before a United States Magistrate Judge, including motions and trial. 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences.¹
2. Close of fact discovery: _____. [**within 4 months**]
3. Close of expert discovery: _____. [**25 days after the close of fact discovery**]

The parties contemplate experts in this matter for the following subject(s): _____.

4. [**For F.L.S.A. actions only**] Plaintiff(s) [**do** / **do not**] anticipate making a motion for conditional certification of a collective action under 29 U.S.C. § 216(b). Plaintiff(s) shall include a proposed notice with the opening brief.

Proposed briefing schedule:

Opening: _____ [**30 days after initial conference**]
Opp'n: _____ [**21 days after opening brief**]
Reply: _____ [**7 days after opposition brief**]

¹ If all parties so consent, they should execute a consent form (available at <http://www.nysd.uscourts.gov/file/forms/consent-to-proceed-before-us-magistrate-judge>) and submit it to the Court via e-mail, along with this proposed order.

5. The parties [**do** / **do not**] anticipate making dispositive motions. The contemplated dispositive motion(s) is/are a motion(s) _____.

Proposed briefing schedule:

Opening: _____ [**no later than item 3**]
Opp'n: _____ [**21 days after opening brief**]
Reply: _____ [**7 days after opposition brief**]
Last dates to file; motions may be brought at any time.

6. Trial [**will** / **will not**] be before a jury.

DO NOT FILL IN BELOW. THE COURT WILL SET ITEMS 7-10.

7. The next status conference is set for _____ at _____.
8. Pretrial materials, including the Joint Pretrial Order ("JPTO"), are due: _____.
9. The Final Pretrial Conference ("FPTC") is set for _____ at _____.

Motions in limine are due two weeks before FPTC; oppositions are due one week later. Daubert motions are due four weeks before FPTC; oppositions are due two weeks later. (No replies).²

10. Trial in this matter shall commence on _____. Trial is anticipated to take _____ [**days / weeks**].

Settlement discussions must occur in parallel to this schedule (schedule will not be adjourned, except in very unusual situations, for settlement discussions).

SO ORDERED.

Dated: New York, New York
_____, 2014

KATHERINE B. FORREST
United States District Judge

² Deadlines for motions in limine and Daubert motions are generalized and subject to change. The parties may request modified schedule if desired.