

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

DAVID B. MEANS, ET AL.

CIVIL ACTION NO. 5:23-cv-00669

VERSUS

JUDGE DAVID C. JOSEPH

DESOTO PARISH, ET AL.

MAGISTRATE JUDGE HORNSBY

SECOND UNOPPOSED MOTION TO AMEND SCHEDULING ORDER

Plaintiffs¹, through undersigned counsel, file this Second Unopposed Motion to Amend Scheduling Order (“Motion”) and represent:

1. The bench trial in this matter is set to commence on September 23, 2024.
2. Under the current Scheduling Order [Rec. Doc. 69], Plaintiff’s expert reports are due to be submitted to Defendants by February 7, 2024, and discovery is to be completed by April 8, 2024.
3. Plaintiffs submit that additional time is needed to complete fact discovery and their and expert reports.
4. On January 23, 2024, Plaintiffs filed their first Unopposed Motion to Amend Scheduling Order. [Rec. Doc. 70].
5. On January 24, 2024, the Court denied that motion, stating that it could not grant the relief requested and still maintain the current trial and pretrial conference dates. [Rec. Doc. 71].
6. Plaintiffs understand and appreciate the Court’s concerns. Accordingly, Plaintiffs now propose more limited amendments to the Scheduling Order, as follows:

¹ Plaintiffs in this matter are David B. Means, Ryan Dupree, Robert G. Burford, Robert Gross, Mary L. Salley, Martha Trisler, John F. Pearce, Joe Cobb, Jack L. Burford, Jack E. Barron, W. Bruce Garlington, Donald Barber, Billy Dwayne Brumley, and Sherry Brumley.

	Current Deadline	(New) Proposed Amended Deadline
Plaintiffs' Expert Info/Reports	February 7, 2024	April 15, 2024
Defendants' Expert Info/Reports	March 8, 2024	May 15, 2024
Discovery Deadline	April 8, 2024	June 10, 2024
Dispositive Motions	May 7, 2024	June 28, 2024
Daubert Motions	May 7, 2024	June 28, 2024
Motions in Limine	August 5, 2024	August 5, 2024 (no change)

7. In comparison to Plaintiffs' first motion, the proposed amendments to the Scheduling Order they submit for consideration in the instant motion for expert reports, discovery, and dispositive motion deadlines are approximately twenty (20) to thirty (30) days earlier. Dispositive motions and Daubert motions would be due approximately three (3) months before trial. Further, Plaintiffs propose no change to the deadline for motions in limine.

8. Defendants do not oppose the relief requested in this Motion.

WHEREFORE, Plaintiffs respectfully request that this Court grant their Motion and enter a revised Scheduling Order in accordance with the amendments proposed herein.

Dated: January 26, 2024

/s/ Reid A. Jones

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*Admitted *Pro Hac Vice*

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on January 26, 2024, I served the foregoing via email on all counsel of record by operation of the Court's CM/ECF filing system.

/s/ Reid A. Jones
Reid A. Jones

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.4.1

I hereby certify that on January 26, 2024, I sought and obtained Defendants' consent to the relief requested in this motion, through counsel for Defendants by email.

/s/ Reid A. Jones
Reid A. Jones

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MAGISTRATE JUDGE HORNSBY

[PROPOSED] ORDER

Considering the Second Unopposed Motion to Amend Scheduling Order (“Motion”) filed by Plaintiffs;

IT IS ORDERED that the Motion is GRANTED.

IT IS FURTHER ORDERED that the Scheduling Order [Rec. Doc. 69] is amended as follows:

	Current Deadline	Amended Deadline
Plaintiffs’ Expert Info/Reports	February 7, 2024	April 15, 2024
Defendants’ Expert Info/Reports	March 8, 2024	May 15, 2024
Discovery Deadline	April 8, 2024	June 10, 2024
Dispositive Motions	May 7, 2024	June 28, 2024
Daubert Motions	May 7, 2024	June 28, 2024

IT IS FURTHER ORDERED that all other Scheduling Order deadlines remain unchanged.

THUS DONE AND SIGNED this _____ day of _____,
2024, in _____, Louisiana.

MAGISTRATE JUDGE MARK L. HORNSBY
WESTERN DISTRICT OF LOUISIANA