

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Scott E. Christensen,

Civil No. 06-4139 JRT/FLN

Plaintiff,

v.

PRETRIAL SCHEDULE

Capella Education Company,

Defendant.

Pursuant to Rule 16 of the Federal Rules of Civil Procedure and the Local Rules of this Court, and in order to secure the just, speedy, and inexpensive determination of this action, the following schedule shall govern this proceeding. The schedule may be modified only upon formal motion and a showing of good cause as required by Local Rule 16.3.

1. Discovery/Non-Dispositive Motions:
 - a. All motions which seek to amend the pleadings or add parties must be served by January 1, 2007.
 - b. All discovery shall be commenced in time to be completed by August 1, 2007.
 - c. All pre-discovery disclosures required by Rule 26(a)(1) shall be completed on or before December 22, 2006.
 - d. No more than 25 interrogatories, including all discrete subparts, shall be served by any party.
 - e. No more than 5 depositions shall be taken by any party.
 - f. All nondispositive motions and supporting documents, including those which relate to discovery, shall be served by August 1, 2007. Nondispositive motions may be scheduled for hearing by calling Cathy Orlando, Calendar Clerk to Magistrate Judge Franklin L. Noel, 612-664-

5110. All nondispositive motions shall be scheduled, filed and served in compliance with Local Rules 7.1, 37.1 and 37.2.

2. Expert Disclosure and Discovery:

- a. Disclosure of the identity of expert witnesses under Rule 26(a)(2)(A) shall be made as follows:
 - 1) By Plaintiff(s) on or before May 1, 2007.
 - 2) By Defendant(s) on or before June 1, 2007.
- b. Full disclosure of the substance of the testimony to be offered by each expert witness shall be made as follows:
 - 1) By Plaintiff(s) on or before June 1, 2007.
 - 2) By Defendant(s) on or before July 1, 2007.
- c. Each party may depose no more than 2 expert witnesses on or before August 1, 2007.
- d. Any expert testimony which has not been fully disclosed in accordance with this schedule shall be excluded from evidence at trial.

3. Dispositive Motions:

- a. All dispositive motions shall be filed and the hearing thereon completed by October 1, 2007.
- b. Counsel are reminded that they must anticipate the time required for scheduling this hearing by calling Calendar Clerk Jenny Beck at 612-664-5083.
- c. All dispositive motions shall be filed and served in compliance with Local Rule 7.1.

4. Trial

- a. This case shall be ready for trial no later than November 1, 2007, at which time it will be placed on the court's jury trial calendar.
- b. Trial is estimated to last 3-5 trial days.

DATED: December 20, 2006.

s/ Franklin L. Noel

FRANKLIN L. NOEL
United States Magistrate Judge