

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

ROBERT CAMERON,	:	
Plaintiff,	:	
	:	
v.	:	No. 5:16-cv-6222
	:	
PALLET EXPRESS, INC.,	:	
Defendant.	:	

* * *

APPEARANCES:

Peter D. Winebrake, Esq. of Winebrake & Santillo, LLC
On behalf of Plaintiff

Stanley J. Margle, III, Esq.
On behalf of Defendant

* * *

ORDER

(Fed. R. Civ. P. 16 Scheduling Deadlines)

AND NOW, this 24th day of April, 2017, following a preliminary pretrial conference pursuant to Federal Rule of Civil Procedure 16, **IT IS ORDERED** as follows:

1. Amended Pleadings

Any motion to amend the pleadings shall be filed **no later than thirty (30) calendar days before the close of fact discovery.**

2. Fact Discovery

(a) Deadline for completion of all fact discovery. All fact discovery, including, but not limited to, depositions, shall be completed on or before **September 8, 2017.**¹

¹ It is acknowledged that discovery is stayed pending completion of the notice and opt-in process pursuant to the Stipulation and Order filed on April 24, 2017 (ECF No. 12).

3. Expert Discovery

- (a) Deadline for completion of expert discovery. On or before **September 8, 2017**, counsel for each party shall serve upon counsel for every other party all expert reports pursuant to Federal Rule of Civil Procedure 26(a)(2)(B) .
- (b) Rebuttal expert reports. If intended solely to contradict or rebut evidence on the same subject matter identified by an expert witness for another party, counsel shall serve rebuttal expert reports on counsel for every other party **not later than fifteen (15) calendar days of the other party's disclosure.**
- (c) Non-compliance. Any violation of the disclosure requirements arising under the Federal Rules of Civil Procedure, the Court's Local Rules of Civil Procedure, or this Scheduling Order may result in the barring of expert testimony at trial.

4. Dispositive Motions

- (a) Deadline for filing of dispositive motions. All dispositive motions shall be filed **not later September 25, 2017.**
- (b) Required statement of material facts must accompany motion. Upon the filing of any motion for summary judgment pursuant to Federal Rule of Civil Procedure 56, there shall be filed simultaneously with the motion a separate, short, and concise statement of the material facts, in numbered paragraphs, as to which the moving party contends there is no genuine issue to be tried.
- (c) Required statement of material facts in opposition to motion. The filing of any opposition to a motion for summary judgment shall include a separate, short, and concise statement of the material facts as to which it is contended that there exists a genuine issue of fact to be tried. This statement must quote each numbered paragraph from the opposing party's statement of material facts, with a response following after each quoted paragraph.
- (d) References to the record. All statements of material facts shall include a citation to the specific portion(s) of the record that support the assertion, including the exhibit or transcript, page and line number.
- (e) Effect of uncontested facts. All facts set forth in the moving party's statement of material facts may be taken by the Court as admitted unless controverted by the opposing party.

- (f) Briefs – required contents. All briefs shall contain the following information, labeled and organized as follows:
- (i) Statement of Pertinent Facts
 - (ii) Statement of the Questions Involved
 - (iii) Summary of Argument
 - (iv) Argument
 - (v) Short conclusion stating the precise relief sought
 - (vi) Proposed Order that would grant the precise relief sought
- (g) No courtesy copies. Courtesy copies should not be provided to chambers unless specifically required by the Court.

5. Motion to Decertify Class

- (a) Deadline for filing of motion to decertify class. Defendant’s motion to decertify class shall be filed **not later September 25, 2017.**

6. Settlement Conference.

All parties are to attend a settlement conference, which will be scheduled by the Court.²

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge

² See Judge Leeson’s Policies and Procedures § II(E).