

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

Robert H. Braver,)
Plaintiff(s),)
vs.)
Ameriquest Mortgage Co., et al.,)
Defendant(s).)

No. CIV-04-1013-W

SCHEDULING ORDER

Date 4/4/2007 Judge Lee R. West Clerk Bonnie Simpson

Appearing for Plaintiff(s) Michael McKee, Luke Wallace, Laura Frossard

Appearing for Defendant(s) Michael Cereseto, Joseph Leventhal, Joshua Greenhaw, Marie Johnston

THE FOLLOWING DEADLINES ARE SET BY THE COURT

- 1. Parties to be joined by 4/4/2007. Thereafter, only with leave of Court. (b) Defendant(s) to submit final exhibit list and any exhibits not exchanged 10 days thereafter.*
2. Pleadings to be amended by 4/4/2007. Thereafter, only with leave of Court. *The exchange of witness and exhibit lists shall be by letter with a copy of the letter filed with the Clerk of the Court. Except for good cause shown, no witness shall be permitted to testify and no exhibit shall be admitted in any party's case in chief unless such witness or exhibit was listed in the letter.
3. (a) Plaintiff(s) to submit to defendant(s) final list of expert witness(es) in chief and expert reports by 8/15/2007. (b) Defendant(s) to submit to plaintiff(s) final list of expert witness(es) in chief and expert reports by 8/15/2007.
4. (a) Plaintiff(s) to submit to defendant(s) final list of witnesses in chief, including expert witnesses, with addresses and summary of expected testimony where witness has not already been deposed by 8/15/2007.* 6. All objections to a final witness or final exhibit list shall be filed 5 days after the list is filed.
7. Discovery to be completed by 10/1/2007.
8. All dispositive and Daubert motions to be filed by 10/1/2007.
9. Trial docket November 2007**
X Jury Non-Jury
5. (a) Plaintiff(s) to submit to defendant(s) final exhibit list and any exhibits not exchanged by 8/15/2007.* **Trial dockets begin the second Monday of each month; however, this practice may vary due to holidays. The published trial docket will announce the trial setting.

- 10. Motions in limine to be filed by 11/1/2007.
- 11. Requested voir dire to be filed by 11/1/2007.
- 12. Trial briefs to be filed by 11/1/2007.
- 13. Requested jury instructions to be filed by 11/1/2007.
- 14. Designations of deposition testimony to be used at trial to be filed by 11/1/2007.
- 15. NON-JURY CASES ONLY: Proposed findings of fact and conclusions of law to be filed by _____.
- 16. All objections, responses and counter-designations to the above trial submissions to be filed 5 days thereafter.
- 17. The Final Pretrial Report, approved by all counsel, and in full compliance with the Local Rules (see Appendix IV), to be filed by 11/1/2007.

- 18. This case is referred to the following Court-sponsored alternative dispute resolution and settlement procedures
 _____ by agreement of the parties, with the approval of the Court:
 _____ by Order of the Court:
 - (a) _____ Mediation
 - (b) _____ Early Neutral Evaluation
 - (c) _____ Non-Binding Arbitration
 - (d) _____ Cost Reduction Trial Track
 - (e) _____ Other _____

If the case is referred to mediation, early neutral evaluation or non-binding arbitration, the process shall be completed and a joint report filed by the parties, advising the Court whether the case settled, no later than _____.

PLEASE NOTE: A judicial settlement conference will be held in this case by a United States Magistrate Judge before the scheduled trial date.

- 19. _____ The parties consent to trial by a United States Magistrate Judge.
- 20. Voluntary disclosure pursuant to Rule 26(a)(1), F.R.Civ.P., has occurred _____; is excused _____; or, shall occur no later than _____.
- 21. Other: The parties request an Early Settlement Conference to be set within 3 weeks to 45 days.

BY ORDER OF THE COURT
 ROBERT D. DENNIS, CLERK

By: /s/ Bonnie Simpson
 Deputy Clerk