

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ROBBIN STEWART,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:18-cv-01487-RLY-DML
	)	
MARION COUNTY ELECTION BOARD, et	)	
al.	)	
	)	
Defendants.	)	

Entry and Show Cause Order

The defendant, by counsel, appeared for an initial pretrial conference on July 16, 2018, with the magistrate judge. The plaintiff failed to appear. The plaintiff is ordered to show cause, in a filing by July 27, 2018, why sanctions, including dismissal, should not be ordered for the plaintiff's failure to comply with the court's order to attend.

Should the plaintiff fail to show cause for his failure to participate in the initial pretrial conference, the magistrate judge will recommend the dismissal of this case for failure to prosecute and failure to comply with court orders.

The following deadlines set out in the June 18, 2018 scheduling order (Dkt. 7) are entered as an order of the court and will govern this case:

- A. No later than August 30, 2018** – Each party must give the other parties a list (with addresses and telephone numbers) of every witness who has knowledge that could help prove that party's claims or defenses. For each

witness the party lists, there should be a brief description of what that witness knows. **This list is NOT filed with the court.

- B.** No later than **August 30, 2018** – Each party must give the other parties copies of all documents, computer files, and other electronic data that the party has that it may use to prove its case. **The copies of documents are NOT filed with the court.
- C.** No later than **August 30, 2018** – The plaintiff must give the defendant a written estimate of how much money the plaintiff claims he is entitled to for any injuries or damages the plaintiff claims to have suffered. At that time, the plaintiff must also give the defendant all non-privileged documents that support that estimate, including those that might prove the nature and the extent of the plaintiff's injury. **This estimate and the documents are NOT filed with the court.
- D.** No later than **August 30, 2018** - The plaintiff must make a written settlement demand on the defendant that includes the terms upon which the plaintiff is willing to settle this case. The defendant must respond in writing within 30 days. **Neither the plaintiff's demand nor the defendant's response is filed with the court.
- E.** The parties must update the information and documents that they provided to each other under Paragraphs A-C above as additional

information becomes available to them. The court may prevent a party from using evidence that it has not shared with the other side.

F. No later than **September 29, 2018** – Any party who wants to amend its Complaint, Answer, or other pleading must file a motion requesting permission to do so. This includes trying to add new parties to the suit.

G. No later than **October 29, 2018** – Each party must tell the other parties if it intends to use any testimony by expert witnesses. At that time, if a party intends to use an expert, it must give the other party a signed report from the expert that presents all the witness' opinions and all the other information required by Federal Rule of Civil Procedure 26(a)(2). Thirty days later, the other side must file a report by any rebuttal expert. A party who has received an expert report from the other party is permitted, but not required, to have a rebuttal report.

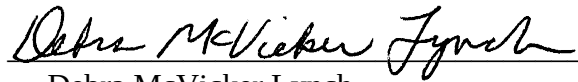
H. If parties need additional evidence from each other, or from third-parties, companies, or entities, they may use the methods described in Federal Rules of Civil Procedure 26-36 and 45 to obtain it. These methods are called “discovery” methods. All discovery requests must be served on the responding party (but NOT filed with the court) no later than **December 8, 2018**. All depositions must be completed by **January 7, 2019**. **If any dispute arises in a deposition that threatens to prevent the completion of a deposition, the parties must contact the chambers of the Magistrate Judge to determine whether the Magistrate**

Judge is available to resolve the dispute by way of a telephone conference. A party may temporarily recess (but not terminate) the deposition to contact the Magistrate Judge's chambers for this purpose.

- I.** No later than **February 6, 2019** – Any party who believes that there is no genuine issue as to any material fact and that it is entitled to judgment as a matter of law, and therefore the case does not need to go to trial, must file its motion under Federal Rule of Civil Procedure 56.
- J.** At or after the initial pretrial conference, the court will schedule further proceedings for the administration of this case. In addition, the parties may be contacted separately by the magistrate judge or her staff at any time during this case to address the possibility of settlement.
- K.** If the case is not resolved by settlement, motion, or other ruling, the court will set a trial date.

So ORDERED.

Date: 7/20/2018



Debra McVicker Lynch
United States Magistrate Judge
Southern District of Indiana

Distribution:

All ECF-registered counsel of record via email generated by the court's ECF system
Service via first-class U.S. Mail on:

Robbin Stewart
4015 East Washington Street
Indianapolis, IN 46201