STATE OF WISCONSIN CIRCUIT COURT WAUKESHA COUNTY

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Plaintiff(s),

**SCHEDULING ORDER**

vs

**Case No.**

,

Defendant(s).

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The parties conferred and agree to the entry of the following Scheduling Order before the Honorable Michael O. Bohren.

Atty.  appearing  ;

Atty.  appearing  ;

Atty.  appearing  .

IT IS HEREBY ORDERED:

1. Plaintiff shall pay the jury tender no later than ; defendant shall pay the jury tender no later than . The jury shall be waived if the fees are not timely paid. The trial date shall be scheduled at the pretrial conference. Each party shall give written notice of payment or non-payment.
2. Amended pleadings and/or the addition of parties shall be accomplished no later than . In the event that a party is added and the appropriate fee paid, a copy of this scheduling order along with any additional pleading shall be served on the added party(s).
3. The parties shall provide in writing to the court and the opposing parties: (1) the names and addresses of all lay witnesses along with a brief statement as to his/her testimony; (2) the names, addresses, and resumes with a written report for each expert named; and (3) an itemized statement of damages claimed, including, if applicable, any special damage claims and permanency no later than  by plaintiff; no later than  by defendant, and no later than  by a third party. Witnesses not timely named and described shall not be called as witnesses at trial, except for good cause shown.
4. Summary judgment and other dispositive pretrial motions must be filed no later than .

Movant shall obtain a date set not less than 45 days from filing of the motion and supporting documents; responding party has 30 days from service of the movant’s motion and supporting documents to serve and file a response brief and supporting documents, or waiver in writing; movant has 7 days from service of a response brief and supporting documents to serve and file a brief limited to matters in reply;

Other;

1. The parties agree to mediation, and the Court appoints  as mediator or as agreed. Fees shall be divided equally between the parties unless otherwise ordered by the court. During the settlement alternative the parties and their attorneys shall be personally present or readily available by phone and shall participate with each corporate party represented by an individual with the authority to negotiate a resolution in this matter. In the event a party appears at the settlement alternative without full authority to negotiate a resolution, the party may be ordered to all costs. The settlement alternative shall be completed no later than 20 days prior to the pretrial conference unless otherwise approved by the court.

1. Discovery shall be completed by all parties no later than 20 days before the pretrial conference date. In the event the above-entitled action is rescheduled from its original trial date, discovery is not reopened without permission of the court. Any motion to compel discovery shall not be heard unless accompanied by a statement in writing by the moving party that after consultation with the opposing party and sincere attempts to resolve their differences, the parties are unable to reach an agreement.
2. Copies of all documents to be used at trial and all other relevant reports must be made available to and given to the opposing party no later than 10 days prior to the pretrial conference*. Do not file with the Court.*
3. **A final pretrial conference will be set with accordance with the Meet and Confirm Order Regarding Scheduling**. The attorney(s) who will actually try the case must be present. The party must also personally appear unless the attorney has full authority to act for the party. If the party cannot be personally present, the party must be reasonably available by phone. The parties shall be prepared to discuss at the pretrial conference the scheduling of any evidentiary depositions for use at trial, as well as the order of witnesses and the exchange of any final trial exhibits. If defendant fails to appear at the final pretrial the Court my enter default judgment against said defendant without further notice.
4. Each party shall prepare and file with the court a pretrial report no later than **10** days prior to the pretrial conference. The report must be signed by the attorney who will try the case (or a party personally, if not represented by an attorney). The pretrial report must include the following:
   1. A detailed summary of the facts of the case, issues, theories of liability or defense, and evidentiary issues. The summary should not exceed two pages.
   2. Identification of each trial witness and a specific summary (not exceeding one page per witness) of the testimony of each witness (lay and expert).
   3. A designation of all depositions or portions of depositions to be read into the record at trial as substantive evidence, unless used only for impeachment purposes.
   4. Jury trial (if requested): (a) all proposed jury instructions, numbers only unless requesting modified or special instructions and (b) proposed special verdict form.
   5. Court trial (if requested): proposed findings of fact and conclusions of law.
   6. Certification that ADR occurred; parties are expected to confer and make a good faith effort to settle the case.
   7. Stipulations.
   8. Motion(s) in *limine,*which will be scheduled at the pretrial conference.

Sanctions, which may include the dismissal of claims and defenses, may be imposed if a pretrial report is not filed.

1. The parties may stipulate to an extension of time limits in this order that will not affect dispositive motions or the pretrial date. Other stipulations must be approved by the court.
2. Other:

**FAILURE TO COMPLY WITH THE TERMS OF THIS ORDER SHALL BE CONSIDERED CAUSE FOR IMPOSING SANCTIONS WHICH MAY INCLUDE THE DISMISSAL OF CLAIMS AND DEFENSES.**