

THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

Plaintiff(s),	Case No
vs.	SCHEDULING ORDER PURSUANT TO I.R.C.P. 16(a)
Defendant(s).	

The following schedule enters and shall govern all proceedings in this case.

1) JURY TRIAL

A jury trial will be held in this matter beginning on _____. The following days are reserved for trial: _____. The schedule will be from approximately **8:30 a.m. – 3:30 p.m.** with a lunch break.

2) PRE-TRIAL CONFERENCE

The pre-trial conference will be held on _____. If not addressed earlier, evidentiary/motions *in limine* issues can be noticed for hearing on this date and time.

Idaho Rule of Civil Procedure 7(b)(3) sets forth the timelines for filing, and responding to, a motion *in limine*. The parties must comply with the timelines set forth in the rule for all motions.

If not filed prior to the pre-trial conference, please have your witness lists, exhibit lists and requested jury instructions (IDJI number only) prepared to file at the pre-trial conference.

3) DISCOVERY

All discovery (including responses) must be completed no later than _____.

This discovery deadline does not apply to experts. The deadlines for expert disclosures are as follows: (1) Plaintiff's expert(s) must be disclosed no later than _____; (2) Defendant's expert(s) must be disclosed no later than _____.

_____ ; (3) Plaintiff's rebuttal expert(s), if any, must be disclosed no later than _____.

These expert disclosure deadlines contemplate disclosures as required by Idaho Rule of Civil Procedure 26(b)(4), not simply the identification of experts.

4) JOINING PARTIES AND AMENDING PLEADINGS

The deadline for joining parties and amending pleadings is _____.

5) DISPOSITIVE MOTIONS

Any dispositive motions must be filed no later than _____ and scheduled to be heard no later than _____.

6) CONTINUANCES

A motion to continue any dates contained in this scheduling order will only be granted if: (1) stipulated to by both parties **and** for good cause shown, or (2) the moving party demonstrates extraordinary circumstances.

7) SCHEDULING HEARINGS

A hearing on any matter may be scheduled by calling the Judge's in-court clerk. See Local Rule 2.1. Please make sure the motion has been filed with the Court before calling to schedule a hearing.

8) VACATING HEARINGS

A scheduled hearing may be vacated by phone, i.e. without a written motion to vacate, if: (1) the motion is being permanently withdrawn or (2) the case has settled. In any other event, a motion (and proposed order) to vacate the hearing must be filed in writing with the Court.

9) SANCTIONS

A violation of this order may result in sanctions, including, but not limited to, costs and attorney's fees, exclusion of evidence or witnesses.

10) ALTERNATE JUDGES

Notice is hereby given, pursuant to Idaho Rule of Civil Procedure 40(d)(1)(G), that an alternate judge may be assigned to preside over the trial or any other hearings in this case. The following is a list of potential alternate judges:

Hon. G. D. Carey, Hon. Cheryl Copsey, Hon. Dennis Goff, Hon. Renae Hoff, Hon James Judd, Hon. Duff McKee, Hon. Thomas Neville, Hon. Kathryn Sticklen, Hon. Gerald Schroeder, Hon. Darla Williamson, Hon. Ronald Wilper

*Any sitting 4th District Judge
Any sitting 5th District Judge*

Unless a party has previously exercised their right to disqualification without cause under Rule 40(d)(1), each party shall have the right to file one (1) motion for disqualification without cause as to any alternate judge not later than ten (10) days after service of this notice.

11) JUDGE'S COPY

Please **do not** provide a paper copy to chambers of any pleading marked "Court Copy" or "Judge's Copy." If you would like to provide an extra copy of any pleading or document, please email the document directly to the judge, copying opposing counsel. Email: mmoody@adaweb.net.

12) MEDIATION

The Court is / is not ordering mediation in this case.

IT IS SO ORDERED.

DATED this _____ day of _____, 20__.

Melissa Moody
District Judge

CERTIFICATE OF MAILING

I hereby certify that on the ____ day of _____, 20__, I served a true and correct copy of the within instrument to:

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Electronic Mail
- Facsimile

- U.S. Mail, Postage Prepaid
- Hand Delivered
- Electronic Mail
- Facsimile

CHRISTOPHER D. RICH
Clerk of the District Court

By: _____
Deputy