

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

PHILLIP CALLAIS ET AL

NO: 3:24-CV-00122-DCJ-CES-RRS

VERSUS

THREE-JUDGE COURT

NANCY LANDRY

SCHEDULING ORDER

The following case-specific deadlines are hereby set in accordance with Fed. R. Civ. P. 16(b). If you have any questions about the rules or deadlines fixed by this order or otherwise wish to contact chambers, you may reach Judge Joseph's chambers by calling (337) 593-5050. You may also reach the Magistrate Judge's chambers by dialing the main line for those chambers.

PRELIMINARY INJUNCTION
HEARING CONSOLIDATED WITH
TRIAL ON MERITS:

April 8-9, 2024, at 9:00 a.m. in Shreveport,
Courtroom 1, before Circuit Judge Carl E. Stewart,
Judge Robert R. Summerhays, and Judge David C.
Joseph

PRE-TRIAL
DEADLINES:

FOR:

- | | | |
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| 2/23/2024 | 1. | Answer to Plaintiffs' Complaint due |
| 2/27/2024 | 2. | Defendant's Response to Plaintiffs' Preliminary Injunction Motion due |
| 03/08/2024 | 3. | Reply in Support of Preliminary Injunction Motion due |
| 03/22/2024 | 4. | Expert designation and reports shall be exchanged among the parties |
| 04/1/2024 | 5. | Exhibit and Witness Lists shall be exchanged among the parties and provided to the Court |

4/1/2024 6. **Trial Depositions.** Depositions authorized by the Court for use at trial, if any (see below), shall be edited to remove nonessential, repetitious, and unnecessary material, as well as objections and colloquy of counsel. A copy of edited trial deposition transcripts shall be included in the bench books. All objections thereto must be filed and briefed by this deadline. Objections to deposition testimony will be waived unless submitted along with the deposition transcripts.

4/1/2024 7. **Bench Books.** The parties shall deliver one bench book to each of the judge's chambers for use by the judges at trial. The bench books should be tabbed and indexed with a cover sheet on which each party is to state all objections to the admissibility of exhibits. A fourth copy of the bench book shall be placed at the witness stand on the morning of the trial for use by testifying witnesses. In addition, the parties will provide a digital copy of the bench book to the judges' law clerks. The original exhibits must be entered into evidence at trial. After trial, the exhibits actually admitted into evidence must also be submitted on a flash drive or DVD.

4/1/2024 8. **Real Time Glossary.** The real time glossary shall be delivered to the Clerk of Court in Lafayette by this date, for transmittal to the court reporter. The glossary shall contain all "key word indexes" from all depositions taken in the case, all witness lists, all exhibit lists, and copies of all expert reports, as well as any other technical, scientific, medical, or otherwise uncommon terms that are likely to be stated on the record during trial.

Real-Time. Real-time is available, and arrangements must be made with the court reporter at least one week prior to trial.

Trial Testimony: Testimonial evidence offered as part of a party's case-in-chief **shall be presented by live testimony** of the witness(es) absent leave of Court. Deposition testimony is disfavored by the Court and will only be authorized for good cause shown.

Continuances: Motions to continue a trial date, even if agreed upon by the parties, are disfavored by the Court absent compelling circumstances. See also Standing Order in Civil and Criminal Cases. True conflicts in counsel's trial calendars may be addressed with the Court at the pre-trial conference.

Filing Instructions: E-Filing is mandatory in the Western District of Louisiana. In an emergency, printed materials may be filed with the Clerk of Court's Office in any division of the Western District.

Extensions: No Scheduling Order deadline will be extended unless for good cause and only in the interest of justice.

Communicating with the Court: Notwithstanding mandatory e-filing here in the Western District of Louisiana, the parties are welcome to contact the Court by telephone, mail, or e-mail at joseph_motions@lawd.uscourts.gov. All written communication must be copied to opposing counsel and any telephone conference must include all parties involved.

A copy of any dispositive motions, *Daubert* motions, or Motions in Limine (with all required attachments) shall be **e-mailed to joseph_motions@lawd.uscourts.gov** in Word format and **sent via hard copy** to each judge's chambers.

All matters that must be exchanged among counsel must be exchanged by hand delivery or certified mail, unless all counsel agree otherwise, IN WRITING, or unless this Court orders otherwise.

All deadlines in this Order are case specific and override any deadlines for the same matter found in an applicable rule of civil procedure. All other deadlines in the Federal Rules of Civil Procedure shall govern this case and shall be enforced by this Court. Counsel should note Rule 26 and Rule 37(c)(1).

This Court will enforce Fed. R. Civ. P. 30, particularly Rule 30(a)(2)(A) (the ten-deposition rule), and Rule 30(d)(1) (the rule limiting depositions to one day/seven hours), absent written stipulation of the parties or court order. This Court shall enforce Rule 26 unless changed by case-specific order or by subsequent court order.

THUS, DONE AND SIGNED in chambers on this 21st day of February, 2024.

Carl E. Stewart, Circuit Judge
Robert R. Summerhays, U. S. District Judge
David C. Joseph, U. S. District Judge