

CLERK OF DISTRICT COURT

2009 AUG 20 AM 11:57

FILED
BY MMIS
DEPUTY

1 TED O. LYMPUS
2 District Judge, Department 1
3 Flathead County Justice Center
4 920 South Main
5 Kalispell, Montana 59901
6 Telephone: (406) 758-5906

7 IN THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT
8 OF THE STATE OF MONTANA IN AND FOR THE COUNTY OF FLATHEAD

9 * * * * *

10 KLEINHANS FARMS ESTATES, LLC,)
11 Montana Limited Liability Company,)
12)
13 Plaintiff,)
14 vs.)
15)
16 FLATHEAD COUNTY,)
17)
18 Defendant.)

Cause No. DV-08-614(B)
2nd AMENDED RULE 16
SCHEDULING ORDER

19 Pursuant to Rule 16(b) M.R.Civ.P. the Court sets the following deadlines in the above
20 entitled cause:

21 Prior to November 25, 2009: Amend pleadings, join additional parties.

22 Prior to December 24, 2009: Exchange exhibits and lists of lay (non-expert) witnesses.

23 Prior to January 15, 2010: Names and addresses of Plaintiff's expert witnesses,
24 together with the information called for in Rule 26, M.R.Civ.P., must be furnished to all
25 opposing parties.

26 Prior to January 22, 2010: Names and addresses of Defendant's expert witnesses,
27 together with the information called for in Rule 26, M.R.Civ.P., must be furnished to all
28 opposing parties.

Prior to February 19, 2010: **DISCOVERY COMPLETED**. The term "completed"
means that discovery requests shall have been submitted so that the required responses are due
on or before this date, and that depositions shall have been completed.

**ESTABLISHING DEADLINES FOR THE IDENTIFICATION OF EXPERT
WITNESSES, WITNESSES AND EXHIBITS DOES NOT SUPERSEDE THE
REQUIREMENT OF ALL PARTIES TO FAIRLY AND ACCURATELY RESPOND TO
OTHER DISCOVERY. THAT IS TO SAY, BY ESTABLISHING THESE DEADLINES,
IT IS NOT INTENDED THAT THE PARTIES ARE NOT REQUIRED TO IDENTIFY
EXPERTS, WITNESSES, OR EXCHANGE EXHIBITS IN RESPONSE TO
DISCOVERY REQUESTS BY CLAIMING THAT THE EXCHANGE OF
INFORMATION IS NOT DUE UNTIL THE DEADLINES ESTABLISHED BY THIS
ORDER. ALL DISCOVERY IS TO BE FAIRLY AND ACCURATELY RESPONDED
TO AND FAILURE TO DO SO MAY RESULT IN APPROPRIATE SANCTIONS.**

111

