

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

MALIBU MEDIA, LLC, )  
 )  
 Plaintiff, )  
 vs. ) NO. 1:12-cv-01117-WTL-MJD  
 )  
 MICHAEL HARRIS, )  
 MICHAEL HARRISON, )  
 )  
 Defendants. )

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**SCHEDULING ORDER**

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- A.** No later than **July 26, 2013** - 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 **July 26, 2013** - 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 **July 26, 2013** - The Plaintiff must give the Defendant(s) 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(s) 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.** 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.
- E.** 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 26-37 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 **March 11, 2014**. All Discovery must be completed by **April 10, 2014**.
- F.** No later than **February 1, 2014** - Plaintiff shall tell the Defendant if they intend to use any testimony by expert witnesses. At that time, if Plaintiff intends to use an expert, they must give the Defendant either 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)(B) for experts with regard to whom that Rule applies or a disclosure identifying the subject matter on which that witness is expected to provide expert testimony and a summary of the facts and opinions to which the witness is expected to testify, as required by Rule(26)(a)(2)(C).
- G.** No later than **March 4, 2014** - Defendant shall tell the Plaintiff if they intend to use any testimony by expert witnesses. At that time, if Defendant intends to use an expert, they must give the Plaintiff either 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)(B) for experts with regard to whom that Rule applies or a disclosure identifying the subject matter on which that witness is expected to provide expert testimony and a summary of the facts and opinions to which the witness is expected to testify, as required by Rule(26)(a)(2)(C).
- H.** No later than **August 30, 2013** - 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 lawsuit.

- I. No later than **September 13, 2013** - Any party who believes that the pleadings either are improper under Federal Rule of Civil Procedure 12(b) or establish (non)liability under 12(c) must file a motion to that effect.
- J. No later than **May 9, 2014** - 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.
- K. If the case is not resolved by settlement, motion, or other ruling, the court will set a trial date.

Dated: 07/09/2013



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Mark J. Dinsmore  
United States Magistrate Judge  
Southern District of Indiana

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