

FILED

UNITED STATES DISTRICT COURT
LAS CRUCES, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JAN 6 1998

R. P. Stummach

CLERK

ALBUQUERQUE, CITY OF, et al.,

Plaintiffs,

vs.

SPARTON TECHNOLOGY, INC.,
et al.,

Defendants.

▲
JAN 1998
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Legal

NO. CIV 97-206 LH/JHG
CONSOLIDATED WITH
NO. CIV 97-208 LH/JHG
NO. CIV 97-210 LH/JHG
NO. CIV 97-981 LH/JHG

INITIAL SCHEDULING ORDER

This cause is assigned to me for scheduling, case management, discovery, and other non-dispositive motions. The Federal Rules of Civil Procedure as amended in 1993, as well as the local rules of the Court shall apply to this law suit. Civility and professionalism will be required of counsel. Counsel should read "A Lawyer's Creed of Professionalism of the State Bar of New Mexico".

The parties, appearing through counsel or pro se, shall "meet and confer" no later than **February 6, 1998** to formulate a provisional discovery plan. Fed. R. Civ. P. 26(f). The time for discovery, generally 120 to 150 days, will run from the Rule 16 initial scheduling conference. The provisional discovery plan shall be filed with the Court no later than **February 12, 1998**. The parties will cooperate in preparing an Initial Pre-trial Report (IPTR) which will follow the sample IPTR form obtainable from the Court Clerk. The blanks for dates should not be filled in. Plaintiff, or Defendant in removed cases, is responsible for

¹ Note the specific requirements of the assigned trial judge.

Copy sent to Counsel and Stummach

submitting the ORIGINAL IPTR with a COPY of the Provisional Discovery Plan directly to my office by **February 12, 1998, if not, copies are to be FAXED TO 505-527-6919 BY THAT DATE.**

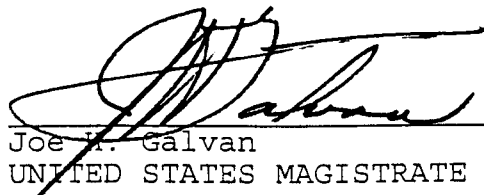
Good cause must be shown and Court approval obtained for any modification of the IPTR schedules.

Initial disclosures under Fed. R. Civ. P. 26(a)(1) shall be made within ten days of the meet and confer session.

A Rule 16 scheduling conference will be held in Clerk's Conference Room 10018, Tenth Floor, United States Courthouse and Federal Building, 500 Gold Avenue SW, Albuquerque, New Mexico on **Wednesday, February 18, 1997 at 1:30 p.m.** The Rule 16 scheduling conference Counsel shall be prepared to discuss discovery needs and scheduling, all claims and defenses, the use of scientific evidence and whether a Daubert² hearing is needed, initial disclosures, and the timing of expert disclosure and reports under Fed. R. Civ. P. 26(1) (2). We shall also discuss settlement prospects and alternative dispute resolution possibilities. Client attendance is not required.

Pre-trial practice in this cause shall be in accordance with the foregoing.

IT IS SO ORDERED.



Joe H. Galvan
UNITED STATES MAGISTRATE JUDGE

² Daubert v. Merrell Dow Pharmaceuticals, 113 S.Ct. 2786 (1993).