

IN THE COMMON PLEAS COURT OF MONTGOMERY COUNTY, OHIO

MIAMI TOWNSHIP BOARD OF TRUSTEES,

CASE NO. 2019 CV 05444

Plaintiff(s),

JUDGE RICHARD S. SKELTON

-VS-

DARREN POWLETTE et al,

**2nd AMENDED FINAL PRETRIAL
ORDER**

Defendant(s).

The Court hereby **VACATES** the May 27, 2021 Final Pretrial Order.

Pursuant to the pretrial scheduling conference held in this case, it is hereby ORDERED that the following deadline dates be established. Terms, conditions, and requirements regarding the established deadlines are set forth in Rule 2.07 of the Local Rules of Practice and Procedures for the General Division of the Montgomery County Common Pleas Court.

DISCOVERY DEADLINES:

May 28, 2021

INITIAL DISCLOSURES UNDER Civ.R. 26
(IDU)

June 14, 2021 LAY WITNESS

DISCLOSURE (LWD)

August 11, 2021 PLAINTIFF(S)

DISCLOSURE OF EXPERTS' (PDE)

September 10, 2021 DEFENDANT(S)

DISCLOSURE OF EXPERTS (DDE)

July 27, 2021 DEADLINE FOR MOTIONS
TO AMEND PLEADINGS (DMA)

August 11, 2021 DEADLINE TO REQUEST
MEDIATION THROUGH THE COURT
MEDIATION PROGRAM (DRM)

June 28, 2021 DEADLINE TO FILE
MOTION TO ADD NECESSARY PARTY
(FDNP)

August 11, 2021 PLAINTIFF'S
DISCLOSURE OF EXPERT REPORTS
(PDR)

September 10, 2021 DEFENDANT'S
DISCLOSURE OF EXPERT REPORTS
(DDR)

September 27, 2021 COMPLETION OF
ALL DISCOVERY (COD)

MOTIONS FOR SUMMARY

JUDGMENT:

July 19, 2021 FILING DEADLINE (SJ)

RESPONSE FILED WITHIN 28 DAYS OF
MOVANT'S FILING

MOVANT'S REPLIES FILED WITHIN 7
DAYS OF RESPONDENT'S FILING

TRIAL MATERIALS EXCHANGE:

September 17, 2021 DEADLINE FOR
TRIAL MATERIALS EXCHANGE (DTME)

September 24, 2021 DEADLINE FOR
OBJECTIONS TO TRIAL
MATERIALS (DOTM)

September 28, 2021 DEADLINE FOR
EFILING SEPARATE PRETRIAL
STATEMENTS
(ST)

September 17, 2021 DEADLINE FOR
FILING DAUBERT CHALLENGES (DC)

**PERPETUATION OF TRIAL
TESTIMONY:**

October 08, 2021 PLAINTIFF(S)
DEADLINE FOR TAKING OF
PERPETUATION DEPOSITIONS (PDPD)

October 18, 2021 DEFENDANT(S)
DEADLINE FOR TAKING OF
PERPETUATION DEPOSITIONS (DDPD)

October 20, 2021 DEADLINE FOR FILING
OF PERPETUATION DEPOSITIONS IS
THREE WORKING DAYS PRIOR TO
TRIAL (DPD)

October 15, 2021 DEADLINE TO FILE
MOTIONS IN LIMINE AND PROPOSED
JURY INSTRUCTIONS (DMLP)

July 23, 2021 TELEPHONE STATUS
CONFERENCE AT **8:50 am.** (TSC)
**PLEASE CALL 877-820-7831 AND
ENTER CODE 398365 TO JOIN THE
CONFERENCE.**

October 01, 2021 AT 9:10 am FINAL
PRETRIAL CONFERENCE BY
TELEPHONE (FP)
**PLEASE CALL 877-820-7831 AND
ENTER CODE 398365 TO JOIN THE
CONFERENCE.**

October 25, 2021 AT 8:30 am BENCH
TRIAL (CT)

IT IS FURTHER ORDERED as follows:

Pursuant to Rule 2.05 of this Court, and unless otherwise specifically designated in this Final Pretrial Order, or unless otherwise ordered by the Court, responses to all motions filed must be filed within 14 days of the Movant's filing, and Movant's replies filed within 7 days of Respondent's filing.

Pursuant to Civil Rule 16, before a party moves for an order relating to discovery, the movant must request a conference with the Court.

FINAL PRETRIAL CONFERENCE

This case is scheduled for final telephone pretrial conference on **October 01, 2021 AT 9:10 am**

PLEASE CALL 877-820-7831 AND ENTER CODE 398365 TO JOIN THE CONFERENCE.

THE FINAL PRETRIAL CONFERENCE MUST BE ATTENDED BY AT LEAST ONE ATTORNEY WHO WILL CONDUCT THE TRIAL FOR EACH PARTY AND BY ANY UNREPRESENTED PARTY. SEE CIV.R. 16. FAILURE TO APPEAR AT THE FINAL PRETRIAL

CONFERENCE OR TRIAL WILL RESULT IN DISMISSAL OF THE ABSENT PARTIES' CLAIMS FOR FAILURE TO PROSECUTE UNDER CIVIL RULE 41(B)(1), OR, IF APPROPRIATE, THE CASE WILL PROCEED WITHOUT THE ABSENT PARTY OR COUNSEL. COUNSEL AND/OR PARTIES WHO FAIL TO APPEAR MAY ALSO BE SUBJECT TO OTHER APPROPRIATE SANCTIONS.

TRIAL DATE

This case is scheduled for a bench trial for the week of **October 25, 2021 at 8:30 am** on a specific date determined by the Court.

The parties will note the Court will not be in session on Thursday morning of the week set for trial due to the fact the Court has matters pertaining to its criminal docket which will be taken care of at that time. However, if the week this case is set for trial is a priority week, your case may be assigned to the Visiting Judge for trial, and your case would be in session Thursday morning. Accordingly, before you schedule witnesses, please check with the bailiff as to whether your assignment will require you to be in session Thursday morning.

SO ORDERED:

JUDGE RICHARD S. SKELTON

This document is electronically filed by using the Clerk of Courts e-Filing system. The system will post a record of the filing to the e-Filing account "Notifications" tab of the following case participants:

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General Division
Montgomery County Common Pleas Court
41 N. Perry Street, Dayton, Ohio 45422

Case Number:
2019 CV 05444

Case Title:
MIAMI TOWNSHIP BOARD OF TRUSTEES vs DARREN
POWLETTE

Type: Final Pretrial Order

So Ordered,