

4-507. Scheduling order.

[For use with District Court Civil Rule 1-016 NMRA]

STATE OF NEW MEXICO

COUNTY OF _____
_____ JUDICIAL DISTRICT

_____, Plaintiff

v.

No. _____

_____, Defendant

SCHEDULING ORDER¹

Pursuant to Rule 1-016 NMRA, the court enters the following scheduling order:

1. Motions to amend the pleadings or to join parties shall be filed by _____ (date).
2. Motions addressed to the pleadings shall be filed by _____ (date).
- *3. Plaintiffs shall file with the court a list of all lay witnesses who may be called to testify at trial by _____ (date).
- *4. Defendants shall file with the court a list of all lay witnesses who may be called to testify at trial by _____ (date).
- *5. Plaintiffs shall file with the court a list of all expert witnesses who may be called to testify at trial by _____ (date).
- *6. Defendants shall file with the court a list of all expert witnesses who may be called to testify at trial by _____ (date).
7. Discovery shall be completed by _____ (date). Parties shall seek discovery sufficiently before this date so that persons responding to discovery reasonably may comply with discovery requests prior to the deadline.
8. All other motions, except for motions *in limine*, shall be filed by _____ (date).
- *9. All parties shall file with the court an exhibit list by _____ (date). The exhibit list shall state the reasonable place where such exhibits may be inspected and copied.
- *10. All parties shall file specific objections to other parties' proposed exhibits by _____ (date).
- [11. Plaintiffs shall submit their portions of a pretrial order to defendants by _____ (date). Defendants shall file the proposed final pretrial order with the court by _____ (date).]
- [11. All parties shall file a final witness list by _____ (date). The final witness list shall list "will call" and "may call" witnesses and may include any witnesses listed on any party's earlier witness list but may not include additional witnesses except by leave of court or consent of all parties.]

11. [Proposed jury instructions shall be submitted to the court by _____ (date).]
or
[Proposed findings of fact and conclusions of law shall be filed with the court by _____ (date).]
12. Motions *in limine* shall be filed by _____ (date).
13. Dates contained in paragraphs of this order marked with an asterisk (*) may be modified by written agreement of all parties, without court approval. Only the court, for good cause, may change other dates.
14. This matter is set for [jury] [non-jury] trial on _____ (date) [on a trailing docket].

District Judge

USE NOTES

1. Dates should be in consecutive order.
2. Dates should be calendar dates, not "
_____ days after entry of this order", or "_____ days before trial".
3. Depending on the complexity of the case, the court may wish to use the paragraphs that are bracketed, which require submission of a pretrial report and final witness list.
4. This form may be adapted to local practice. For example, the court may want to require settlement conferences or pretrial conferences, or may schedule docket calls, etc.
5. If a scheduling order is not appropriate, the court shall enter an order indicating that no scheduling order will be entered, indicating the reason, and shall set the case for trial not later than eighteen (18) months after the filing of the complaint.
Rule 1-016(B) NMRA.

[Approved, effective July 1, 2002.]