

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

In re

(Name)

Debtor(s).

Case No. (Number)

(Name),

Plaintiff(s),

v.

Adv. No. (Number)

(Name),

Defendant(s).

**ORDER RESULTING FROM SCHEDULING CONFERENCE**

At the scheduling conference held on *(date and time)*, *(name)* appeared for the plaintiff(s). *(Name)* appeared for the defendant(s).

1. **Discovery completion deadline: (Date).** For purposes of this order, "completed" is defined as having served all interrogatories, requests for admission, notices to take depositions, etc., within a time frame which allows for answers to interrogatories, responses to requests for admissions, depositions, etc., to be completed prior to the discovery deadline.

2. *[If applicable:]* **Expert reports:** Fed.R.Civ.P. 26(a)(2)(B) shall apply in this adversary proceeding. Any expert report required pursuant to Fed.R.Civ.P. 26(a)(2)(B) to be offered by the party bearing the burden of proof on the issue for which the report is issued shall be served not later than **(Date - generally 42 to 49 days before discovery completion deadline)**. Any expert report required pursuant to Fed.R.Civ.P. 26(a)(2)(B) to be offered by the *[party/parties]* not bearing the burden of proof on the issue for which the report is issued shall be served not later than **(Date - generally 21 to 35 days before discovery completion deadline)**. Any supplement to an expert report by the party bearing the burden of proof on the issue to contradict or rebut another party's expert report shall be served not later than **(Date - generally 10 to 21 days before discovery completion deadline)**.

3. **Deadline for filing dispositive motions. (Date - generally 21 days after discovery completion deadline).** Responses to any dispositive motions are due twenty-one (21) days after the date of service of any such dispositive motion. Replies are due fourteen (14) days after service of a response.

4. **Pretrial Order.**

- (a) **Plaintiff's portion of pretrial order due to Defendant:** (*Date-generally 21 days after discovery completion deadline*).
- (b) **Defendant's portion of pretrial order due to Plaintiff:** (*Date-generally 35 days after discovery completion deadline*).
- (c) **Consolidated pretrial order due:** (*Date-generally 42 days after discovery completion deadline*). Plaintiff shall submit the consolidated pretrial order to the Court, preferably by e-mail (in Word or Wordperfect format) to [jacobvitz@nmcourt.fed.us](mailto:jacobvitz@nmcourt.fed.us). The pretrial order shall be in the form of, and include the information set forth in, the sample pretrial order posted at <http://www.nmcourt.fed.us/usbc/jacobvitz>.

5. **Status Conference: (Date).** A status conference will be conducted by Chris Wilson, Courtroom Deputy to Judge Jacobvitz, in Judge Jacobvitz's hearing room located on the thirteenth floor of the Dennis Chavez Federal Building and U.S. Courthouse, 500 Gold Avenue SW, Albuquerque, New Mexico, to set dates for a pretrial conference and a trial. Counsel should anticipate a trial date approximately forty-five (45) to sixty (60) days from this date. Counsel may appear via telephone if such request is made of the chambers of Judge Jacobvitz by the business day prior to the status conference. Requests to appear by telephone should be made by e-mail to [jacobvitzstaff@nmcourt.fed.us](mailto:jacobvitzstaff@nmcourt.fed.us).

6. **Pretrial Conference: (Date).** Following the status conference, a pretrial conference shall be held before Judge Jacobvitz. Trial counsel shall appear at the pretrial conference, and must be able to represent that they have made a good faith attempt to settle the matter. Out of town counsel may appear by telephone.

7. Failure to comply with this order may result in dismissal of the action, default, the assessment of costs and attorney's fees or other appropriate penalties.

BY ORDER OF THE COURT

Office of the Clerk  
United States Bankruptcy Court,  
District of New Mexico  
500 Gold Avenue SW, Tenth Floor  
P. O. Box 546  
Albuquerque, NM 87103-0546  
Telephone: (505) 348-2500

Copy to:

*(Name)*

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Chris Wilson  
Courtroom Deputy Clerk  
(505) 348-2545