

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

FILED

2009 JUL 31 PM 1:23

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

BY \_\_\_\_\_ DEPUTY  
HENN CO. DISTRICT  
COURT ADMINISTRATOR

Chris Gregerson,

Plaintiff(s),

vs.

Court File No. 27-CV-09-13489

Morgan Smith, Boris Parker, and Vladimir  
Kazaryan, Smith & Raver, LLP, Saliterman &  
Siefferman, PC and Bassford Remele, PA

**SCHEDULING ORDER AND  
REFERRAL TO MEDIATION**

Defendant(s).

The Court enters the following order:

1. Joinder of additional parties, by amendment or third-party practice, shall be accomplished by **09/15/2009**.
2. Discovery shall be completed (i.e., all depositions completed, all times for responses to interrogatories, requests for admissions, etc. expired), and all discovery-related motions shall be scheduled to be heard on or before **12/15/2009**.
3. No discovery dispute may be brought to the attention of the court unless the parties have conferred and made a good faith effort to settle their dispute pursuant to Minn. R. Civ. P. 37.01 (b) and Minn. Gen. R. Prac. 115.10. The party raising an unresolved discovery issue shall first arrange a telephone conference with the court to determine if the dispute can be resolved without a formal motion. No motion papers or other submissions shall be filed prior to the telephone conference. Only if the telephone conference does not resolve the dispute may a formal motion be scheduled.
4. All other non-dispositive motions (including motions to amend pleadings) shall be scheduled to be heard on or before **11/01/2009**.
5. Dispositive motions shall be scheduled with the court's judicial clerk to be heard on or before **12/31/2009**. The scheduling of a dispositive motion requires considerable advance notice (as much as two to three months) to the judicial clerk. One courtesy copy of motion papers for the undersigned is sufficient.
6. No motion will be heard unless the parties have conferred either in person or by telephone, or in writing in an attempt to resolve their differences prior to the hearing. The moving party shall initiate the conference. The moving party shall certify to the

court, before the time of the hearing, compliance with this rule or any reasons for not complying, including lack of availability or cooperation of opposing counsel. Whenever any pending motion is settled, the moving party shall promptly advise the court.

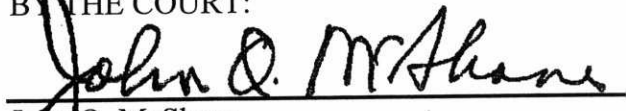
7. Pursuant to the agreement of the parties, this case is referred for alternative dispute resolution (ADR) in the form of mediation. ADR shall be completed no later than **03/01/2010**. [The parties shall notify the court of their selection of ADR Neutral on or before **01/15/2010**.] Attorneys and parties with full authority to settle the case are required to participate in ADR.

[Counsel for the parties shall consult with each other and the mediator at their earliest mutual convenience to discuss whether early mediation would be advisable to expedite possible disposition and reduce discovery and other litigation costs.]

8. This case is scheduled for trial during the court's civil trial block commencing **04/12/2010** and ending **05/14/2010**. A request for a continuance and the reasons therefor must be made, in writing, within fifteen days of the date of this order. If a party or counsel has a conflict during this period, it must be made known to the Court, in writing, within fifteen days of the date of this order.
9. No motion will be recorded unless prearranged with the Court's reporter.
10. All documents that are filed with the Court Administrator must be two-hole punched along the top margin. It is not necessary to punch courtesy copies.
11. Exhibits attached to affidavits must be marked by tabs protruding from the edge for easy reference. Divider pages or markings on the face of the documents are not sufficient.
12. The parties may not alter the dates set forth in this order by mutual stipulation. Parties wishing to alter this order must submit their requests in writing. The request must reflect that a copy of the request has been sent to all attorneys of record and pro se parties, if any. If the request is objected to, the party objecting must advise the Court's clerk by telephone and send their objections in writing within 72 hours, with a copy to all attorneys of record and pro se parties. Requests for amendments to the scheduling order will be granted only for good cause.
13. If it appears by notice of motion and motion or otherwise that a party has failed to comply with a provision of this order, the party will be subject to appropriate sanctions, including the dismissal of the case, striking the answer, or monetary penalty.

DATED: 07/31/2009

BY THE COURT:

  
\_\_\_\_\_  
John Q. McShane  
Judge of District Court