

IN THE IOWA DISTRICT COURT FOR SCOTT COUNTY

Plaintiff(s), CASE NO.
 vs. TRIAL SCHEDULING ORDER
 (Use of this form is mandatory)
 Defendant(s). REQUIRED INFORMATION:
 Date Petition filed: _____
 Case type: Civil ___ Equity ___
 PCR ___ Judicial Review ___
 Other _____
 Trial type: Jury ___ Non-jury ___
 Expected trial Length ___ day(s)
 The amount in controversy exceeds
 \$10,000 Yes ___ No ___

APPEARANCES:
Plaintiff(s)/Petitioner(s):

Defendant(s)/Respondent(s):

IT IS ORDERED:

1. TRIAL. Trial of this case is set for _____
at 9 a.m. in the District Court in the courthouse of the above-named county.
2. SETTLEMENT/PRE-TRIAL CONFERENCE. (Check one)
 ___ A Settlement/Pre-Trial Conference shall be held on _____
 at _____ m. in the District Court in the courthouse of the above-named county.
 All parties with authority to settle must be present. PLEASE REFER TO SEVENTH
 JUDICIAL DISTRICT LOCAL RULE 7.1.

 ___ This is a debt collection or mortgage foreclosure case, and neither party
 requests a Settlement/Pre-Trial Conference.
3. NEW PARTIES. No new parties may be added later than 180 days before
trial or _____.
4. TRANSCRIPTS AND RECORDS. All required agency records or prior criminal
transcripts shall be filed within 30 days of the date of this order or
by _____.
5. PLEADINGS. Pleadings shall be closed 60 days before trial or
_____.
6. DISCOVERY. All written discovery shall be served no later than 90 days
before trial. All depositions shall be completed no later than 60 days
before trial. Or, all discovery shall be completed by _____.
 ___ No discover of electronically stored information is expected in
 this case.
 ___ The parties have conferred about discovery of electronically stored
 information and reached agreement as set out in Exhibit A attached.
 ___ The parties have conferred about discovery of electronically stored

information and have been unable to reach agreement. A hearing is set _____ at m. at the Scott County Courthouse, Davenport, IA.

7. EXPERT WITNESSES.

a. A party who intends to call an expert witness, including rebuttal expert witnesses, shall certify to the Court and all other parties the expert's name, subject matter of expertise and qualifications, within the following time period, unless the Iowa Code requires an earlier designation date (See, e.g., Iowa Code 668.11):

(1) Plaintiff: 210 days before trial or _____.

(2) Defendant/Third-Party Plaintiff: 150 days before trial or _____.

(3) Third-Party Defendant/Others/Rebuttal: 90 days before trial or _____.

b. This section does not apply to Court appointed experts.

(The deadlines listed in paragraphs 5 (5), six (6) and seven (7) may be amended, without further leave of court, by filing a Stipulated Amendment to Scheduling Order with the clerk listing the dates agreed upon and signed by all counsel and self-represented litigants. Such an Amendment shall not serve as a basis for a continuance of the trial date or affect the date for pre-trial submissions.)

8. PRE-TRIAL SUBMISSIONS. At least SEVEN (7) DAYS BEFORE TRIAL, counsel for the parties and self-represented litigants shall:

a. File a WITNESS AND EXHIBIT LIST with the clerk, serve a copy on opposing counsel and self-represented litigants and exchange exhibits. Rules governing exhibits and exhibit lists:

(1) Plaintiff shall use numbers and Defendant shall use letters. Pre-trial exhibit lists shall identify each exhibit by letter or number and description. Exhibits shall be marked by counsel before trial.

(2) Immediately before commencement of trial, the Court shall be provided with a bench copy, and the reporter with a second copy, of the final exhibit list, for use in recording the admission of evidence.

(3) In non-jury cases, immediately before commencement of trial, the Court shall be provided with a bench copy of all exhibits identified on the exhibit lists.

(4) Within five (5) days after the filing of an exhibit list, counsel and self-represented litigants shall file with the clerk, and serve on each party, any identification, authentication, and foundation objections to the exhibits listed; otherwise, such objections shall be deemed WAIVED for trial purposes.

b. File with the clerk, and deliver to the ____ Trial Judge ____ Court Administrator, MOTIONS IN LIMINE, with supporting legal authority.

c. File with the clerk, and deliver to the ____ Trial Judge ____ Court Administrator, all PROPOSED JURY INSTRUCTIONS in a form to be presented to the jury, including a statement of the case, the stock

jury instruction numbers and verdict forms. (The Court shall be provided the instructions in written form and by either E-mail attachment; USB Thumb drive download; or on CD-ROM with MS Word compatible format.)

- d. Deliver to the ____ Trial Judge ____ Court Administrator and opposing counsel/self-represented litigants a concise TRIAL BRIEF addressing factual, legal and evidentiary issues, with citation to legal authorities.
- 9. MOTIONS. All motions including motions for summary judgment and except motions in limine, shall be filed with the clerk of court's office at least sixty (60) days before trial, with copies to the assigned judge.
- 10. SETTLEMENT CONFERENCE. Please refer to numbered paragraph 2 above.
- 11. SETTLEMENTS. The parties shall have the responsibility of immediately notifying the court administrator of the settlement.
- 12. LATE SETTLEMENT FEES. Late settlement fees under Iowa Rule of Civil Procedure 1.909 are applicable.
- 13. CONTINUANCES. Continuances are discouraged and shall only be granted for good cause. Motions to continue are governed by Iowa Rule of Civil Procedure 1.910. In the event the trial date is continued, all time deadlines in this order and stipulated amendments shall remain in effect relative to the new trial date unless the court approves new deadlines.
- 14. NOTICE. A failure to comply with any of the provisions of this order or an amendment to scheduling order may result in sanctions being imposed by the court pursuant to Iowa Rule of Civil Procedure 1.602(5) including limitation and exclusion of evidence and witnesses and payment of costs or attorney fees. The original of this order shall be filed at the time the trial date is obtained. The court shall resolve disputes regarding oral agreements on scheduling by reference to this scheduling order or any written amendments to this order.

DATED _____.

Judge of the District Court/Court Designee
Seventh Judicial District of Iowa

(The following signature lines are optional)

Approved (signed) by counsel/self-represented litigants:

PLAINTIFF(S) (Include addresses and telephone numbers)

DEFENDANT(S) (Include addresses and telephone numbers)

Original filed with the Clerk of Court

Copies to: counsel of record/self-represented litigants

For questions regarding documents filed with the court in this case, please see www.iowacourts.gov/Online_Court_Services/Online_Docket_Record/ or call the Clerk's Office.

If you or your client requires the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your ADA Coordinator at 563-328-4145. If you or your client is hearing impaired, call Relay Iowa TTY at 1-800-735-2942.