

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SCOTT BURKHART,  
individually and as executor of the ESTATE  
OF DONNA BURKHART,  
DECEASED,

Plaintiff,

v.

LINA MEDICAL USA, INC.; a Georgia,  
USA corporation; LINA MEDICAL APS,  
a business in Denmark; LINA MEDICAL  
POLSKA SP. Z.O.O., a limited liability  
company in Poland; and KEBOMED,  
AG, a business in Switzerland,

Defendants.

CIVIL ACTION NO. 14-1557

**AMENDED SCHEDULING ORDER**

**AND NOW**, this 2<sup>nd</sup> day of March, 2015, after oral argument held before the undersigned on February 6, 2015, at which time the court granted a joint request to modify the existing scheduling deadlines for good cause shown; and the parties having jointly indicated a desire at the time of argument to submit modified dates for the court's consideration; and the parties having submitted those dates on February 27, 2015; accordingly, the court's August 14, 2014 scheduling order (Doc. No. 45) is **AMENDED** as follows:

1. All fact discovery shall be completed by **July 30, 2015**;
2. Counsel for the plaintiff shall serve upon counsel for every other party the information referred to in Federal Rule of Civil Procedure 26(a)(2)(B) by expert report or answer to expert interrogatory no later than **August 20, 2015**. Counsel for the defendants shall serve upon counsel for every other party the information referred to in Federal Rule of Civil Procedure

26(a)(2)(B) by expert report or answer to expert interrogatory no later than **September 10, 2015**.

The parties shall conclude expert depositions, if any, no later than **October 1, 2015**;

3. Any dispositive motions and any *Daubert* motions shall be filed by **October 16, 2015**;

4. Opposition to such motions shall be filed by **October 29, 2015**;

5. The plaintiff's and the defendants' pretrial memoranda shall be filed by **October 21, 2015**;

6. All motions *in limine* shall be filed by **October 19, 2015**;

7. Responses to motions *in limine* shall be filed by **October 26, 2015**;

8. Each party shall exchange exhibits in accordance with Local Rule of Civil Procedure 16.1(d). Each party shall **also** provide the court with two (2) exhibit binders by **October 26, 2015**. The exhibit binders shall contain a tabbed copy of each exhibit with a schedule of exhibits, which briefly describes each exhibit;

9. The parties shall agree upon and submit **joint** proposed points for charge and a **joint** proposed verdict slip by **October 26, 2015**. The parties shall refer to the court's policies and procedures for further instruction in this regard;<sup>1</sup>

10. The parties shall exchange proposed statements of fact for *voir dire* and questions for *voir dire* prior to the pretrial conference, and the parties shall provide the court with copies of the same at least two (2) business days prior to the pretrial conference;

11. A final pretrial conference will be held on **Friday, October 30, 2015**, at **9:30 a.m.** at the Holmes Building, 101 Larry Holmes Drive, 4<sup>th</sup> Floor, Easton, Pennsylvania;

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<sup>1</sup> The court's policies and procedures are available online at:  
<https://www.paed.uscourts.gov/documents/procedures/smtpol.pdf>

12. The selection of a jury shall take place on **Monday, November 2, 2015**, at **9:30 a.m.** Jury selection will take place at the James A. Byrne United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania, in a courtroom to be determined;

13. A jury trial shall commence before this court on **Tuesday, November 3, 2015**, at **9:30 a.m.** at the Holmes Building, 101 Larry Holmes Drive, 4<sup>th</sup> Floor, Easton, Pennsylvania. This order shall serve as a formal attachment for trial; and

14. United States Magistrate Judge Marilyn Heffley will hold a settlement conference on **Tuesday, May 26, 2015**, at **9:30 a.m.**

BY THE COURT:

/s/ Edward G. Smith  
EDWARD G. SMITH, J.