

IN THE IOWA DISTRICT COURT IN AND FOR POWESHIEK COUNTY

<p>LARRY L. HEISHMAN and JAMES DARIN HEISHMAN,</p> <p style="text-align: center;">Plaintiffs,</p> <p>vs.</p> <p>FARM CREDIT SERVICES OF AMERICA, PCA,</p> <p style="text-align: center;">Defendant.</p>	<p>No. LALA002592</p> <p> </p> <p>SUPPLEMENTAL ORDER REGARDING PRE-TRIAL DEADLINES</p>
---	--

This Order supersedes the deadlines established in the February 2, 2022, Order Setting Trial and Approving Plan.

IT IS HEREBY ORDERED that the following deadlines are imposed.

- 1. Trial Date and Duration.** A bench trial in this matter is scheduled to commence **April 5, 2023** at the Poweshiek County Courthouse, 9:00 A.M., for 4 days of trial time.
- 2. Deadline for Pleadings.** The deadline to add parties is **Friday October 7, 2022.**
- 3. Deadlines for Discovery.** All discovery, including all depositions and service of responses to all written discovery, shall be completed by **Friday February 3, 2023.** Written discovery shall be served 33 days in advance of this deadline.
- 4. Expert Deadlines.** Plaintiffs shall complete designation of expert witnesses, including supplementation of and information specified in Iowa R.Civ.P. 1.500(2), by **Wednesday September 7, 2022.**

Defendant shall complete designation of expert witnesses, including supplementation of and information specified in Iowa R.Civ.P. 1.500(2), by **Monday November 7, 2022.**

Rebuttal designation of expert witnesses, including supplementation of and information specified in Iowa R.Civ.P. 1.500(2), by **Friday January 6, 2023.**

- 5. Dispositive Motions.** All dispositive motions shall be filed not later than **Monday December 5, 2022**

- 6. Document Control.** The Parties shall utilize Bates numbering for their productions and maintain a production log documenting the date of productions and the corresponding numbering of the documents produced.
- 7. Final Pretrial Conference.** A Final Pretrial Conference shall be held **Monday March 27, 2023 at 9:00 A.M.** at the Poweshiek County Courthouse. The Parties shall be prepared to make a record regarding any motions in limine, any expected testimony by deposition, and any other pre-trial matters. This is set in-person at this time, but the Court, in coordination with the Parties, will re-visit whether videoconference is appropriate as the date gets closer.
- 8. Pretrial Filings.** Pretrial filings shall be filed in EDMS by **Monday, February 27, 2023**. This shall include any motions in limine, witness lists, exhibits lists, designations by page and line of any deposition testimony a party expects to present, and trial briefs (if desired). These filings shall also be emailed to opposing counsel at the time of filing.
- A. Perpetuated Deposition Testimony.** If a Party objects to deposition testimony designated by another Party, or intends to counter-designate deposition testimony, such objection or counter-designation by page and line shall be filed by **Wednesday March 22, 2023**.
- B. Resistances to Motions in Limine.** Resistances to Motions in Limine shall be filed by **Monday March 13, 2023**.
- C. Filing of Proposed Exhibits.** Exhibits listed on Exhibit Lists shall be filed in EDMS by **Friday March 17, 2023**. Each exhibit must have the exhibit identification on the first page of the exhibit (this can be done electronically in pdfs and is necessary for ease of appellate review as the exhibits are combined into a large pdf in the appellate EDMS system). Transcripts for any depositions from which a Party designates testimony shall be filed in EDMS as proposed Court's Exhibits using Roman Numerals (ie. Court Exhibit I).
- D. Objections to Exhibits.** Any identification, authentication, or foundation objections must be filed by **Wednesday March 22, 2023**.
- 9. Settlement Judge.** Consistent with the order transferring this matter to Business Court, District Judge John McLellan is designated as the settlement conference judge. The parties are free to jointly contact Judge McLellan at Larry.McLellan@iowacourts.gov at any time to request a settlement conference
- 10. Notice to Court by Email in Addition to EDMS Filing.** The Court requests that any EDMS filings also be circulated to the Court by email (and copying all counsel of record) at david.nelmark@iowacourts.gov with a copy to lindsay.kaestner@iowacourts.gov

IT IS SO ORDERED



State of Iowa Courts

Case Number
LALA002592
Type:

Case Title
HEISHMAN V. FARM CREDIT SERVICES
OTHER ORDER

So Ordered

A handwritten signature in blue ink that reads "David Nelmark". The signature is written in a cursive style with a large initial "D".

David Nelmark, District Judge
Fifth Judicial District of Iowa

Electronically signed on 2022-07-29 14:50:31