

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

SAMUEL JOSEPH WURZELBACHER,

Plaintiff,

vs.

Civil Action 2:09-CV-162  
Judge Marbley  
Magistrate Judge King

HELEN JONES-KELLEY, *et al.*,

Defendants.

PRELIMINARY PRETRIAL ORDER

A preliminary pretrial conference was held on September 23, 2009. All parties were represented.

This is a civil rights action under 42 U.S.C. §1983 in which plaintiff alleges that, during the course of the 2008 Presidential election, he was retaliated against for having exercised his rights under the First Amendment and that his Fourteenth Amendment right of privacy was invaded.

There is a jury demand.

The Court has subject matter jurisdiction under 28 U.S.C. §1343. The Court has personal jurisdiction over the parties and venue is proper.

The parties will make their Rule 26(a)(1) disclosures by November 1, 2009.

Defendant Jones-Kelley may amend her answer by October 15, 2009. Other motions or stipulations addressing the parties or pleadings may be filed, if at all, by October 15, 2009.

The parties may, without further leave of Court, agree to exceed the limits on discovery established by the Federal Rules of Civil Procedure or the Local Rules of this Court. Absent agreement the parties will arrange a conference with the Court.

Disclosures relating to primary experts must be made by February 10, 2010. Responsive disclosures must be made by March 20, 2010. If the expert is specially retained, the disclosures must conform to F.R. Civ. P. 26(a)(2), unless otherwise agreed to by the parties or ordered by the Court. If the expert is not specially retained, the party must provide (1) the identity of the expert, (2) an articulation of the substance of the testimony expected to be provided by the expert and (3) the bases of any opinion expected to be offered by the expert.

All discovery must be completed by July 20, 2010. The parties are advised that the discovery completion date requires that discovery requests be made sufficiently in advance to permit timely response by that date.

Motions for summary judgment may be filed no later than August 20, 2010. **There will be no extension of this date.**

This case will be available for final pretrial conference in December 2010, or as soon thereafter as the Court's calendar permits.

This case will be referred to the September 2010 Settlement Week.

If any date set herein falls on a weekend or legal holiday, the date of the next business day will control.

September 23, 2009

s/Norah McCann King  
Norah McCann King  
United States Magistrate Judge