UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

RICHARD BANKS, JUDY BANKS, ROGER McCARREN and LARRY MEYER	:	
Plaintiffs	:	**CIVIL ACTION NO. 3:08-1110**
v	:	**(CAPUTO, D.J.)** **(MANNION, M.J.)**
KAREN GALLAGHER, ANTHONY MARIANO, WILLIAM STADNITSKI, and DICKSON CITY BOROUGH	:	
Defendants	:	

O R D E R

This case has been referred to United States Magistrate Judge Malachy E. Mannion, pursuant to the random case assignment and referral plan of the Middle District of Pennsylvania. This case will remain under the supervision of Judge Mannion, for all pretrial matters. The parties should indicate in their submitted joint case management plan whether they wish to consent to have the undersigned conduct all proceedings including jury or non-jury trial and entry of judgment, pursuant to Title 28 U.S.C. §636.

In order to establish appropriate pretrial deadlines,

IT IS HEREBY ORDERED THAT:

1. A case management conference will be conducted by the court on **Thursday, August 28, 2008 at 10:30 A.M.** in Courtroom No. 1, Max Rosenn United States Courthouse, 197 South Main Street, Wilkes-Barre, Pennsylvania. This conference may be held by telephone if any party requests

and has the concurrence of all other parties. It will be the responsibility of the plaintiff to inform the court, at least three (3) business days before the conference, whether the parties will appear in person or wish to proceed by teleconference. If the conference will be pursued by teleconference the plaintiff is to initiate the conference call, on the date of the conference.

2. The primary purpose of this conference will be to establish case management deadlines to enable this action to go forward as efficiently as possible. Participation in this conference by counsel or by pro se litigants is mandatory.

3. If counsel of record is unable to participate in the conference, the court shall be notified of the name of the substitute counsel no less than three (3) business days in advance of the date of the conference. The court's telephone number is (570) 826-6229.

4. Counsel are advised to comply with Local Rule 16.3 of the Middle District of Pennsylvania. Local Rule 16.3(a) requires lead counsel for each party to "confer at least ten (10) days prior to the initial case management conference" and complete a "Joint Case Management Plan." Where the case management plan requests dates, counsel should agree upon a specific month, day and year. (Please do not make entries such as "30 days after the close of discovery.") The completed Joint Case Management Plan (a sample of which is set forth in Appendix A of the local rules), must be e-filed with the court at least three (3) business days prior to the case management conference.

5. Counsel should note that the Middle District of Pennsylvania adheres to Federal Rule of Civil Procedure 26. However, since the joint case management plan contemplates discovery prior to the Rule 26(f) meeting, it will be deemed an exception to the limitation on discovery contained in the first sentence of Rule 26(d).

6. Counsel shall not cease active discovery pending disposition of pre-trial motions, including, but not limited to, motions to dismiss.

7. The parties are advised that once the deadlines have been established, extensions of those time periods will be sparingly granted and only for good cause shown, upon application made before the expiration of the relevant deadline.

s/ Malachy E. Mannion

MALACHY E. MANNION
United States Magistrate Judge

Dated: August 8, 2008

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