
Plaintiff

vs.

Defendant

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE CITY
*

* Case No: _____

* * * * *

MODIFICATION OF PRE-TRIAL CONFERENCE ORDER
LEAD PAINT TRACK

Pursuant to the Joint Motion for Modification of the Pre-trial Conference Order, it is this _____ day of _____, 2000, ORDERED:

1.(a) That all parties shall appear before the Court for a conference before trial on _____ (fill in date which is 30 days prior to trial).

(b) That parties shall prepare in advance and bring to the conference a proposed Pre-trial Order covering in full each item (1) through (8) in Section B of Rule 2-504.2. (Item (9) in Section (B) is subsumed in Paragraph two of this Order.)

2.(a) All discovery shall be completed no later than _____ (Enter date which is the later of 15 months from the date of this Order or from the date the youngest child reaches six years of age.)

(b) Plaintiff(s) shall respond to all interrogatory requests concerning the findings and opinions of experts, and shall have psychometric testing performed on the minor Plaintiff(s) and serve such testing results no later than _____. (Enter date which is the later of six months from the Order or from the date the youngest child reaches six years of age.)

(c) Defendant(s) shall respond to all interrogatory requests concerning the findings and opinions of experts, and shall have psychometric testing performed on the minor Plaintiff(s) and serve such testing results no later than _____. (Enter date which is the later of 13 months from the date of this Order or from the date the youngest child reaches six years of age.)

(d) Defendants who still own a subject property shall allow the Plaintiffs to perform a non-destructive lead test upon the premises within 60 days of a written request provided that the request is made no later than four months prior to the discovery deadline in ¶ 2(a). The defendants shall be permitted to attend the lead test accompanied by a consultant(s) or expert(s).

(e) All depositions of expert witnesses shall be completed no later than _____. (Fill in the date which is the later of 15 months from the date of this Order or from the date the youngest child reaches six years of age).

3. All summary judgment motions shall be filed by _____. (Enter the date which is the later of 16 months from the date of this Order or from the date the youngest child reaches six years of age.)

4. The trial of this case shall begin on _____. (Enter the later of the date that is 19 months from this Order or from the date the youngest child reaches six years of age.)

5. The parties shall neither introduce nor elicit, through direct examination, cross-examination or otherwise, any evidence concerning any so-called "practice effect" in psychometric testing as long as there has been a minimum of six (6) months between the psychometric testing performed by the parties.

6. No additional parties shall be added after _____ (Enter the date which is the later of nine months from the date of this Order or from the date the youngest child reaches six years of age.)

7a. Counsel are encouraged to amicably resolve disputes which may arise. Counsel may stipulate, subject to approval of the Court, to modify the above deadlines, except those establishing the trial date, pre-trial date, final discovery deadline, and summary judgment deadline. Such stipulations must be in writing and submitted for the Court's approval.

7b. This order may be modified upon a written motion for modification filed within 15 days of the date of this order. Thereafter, unless the parties stipulate as set forth in ¶ 7(b), this order may be modified only upon a written motion for modification setting forth a showing of good cause that the schedule cannot reasonably be met despite the diligence of the parties seeking modification. If exigent circumstances prevent a motion in writing, an oral motion shall be made at a hearing at 1:45 p.m. on a daily basis in Room 511 of the Clarence M. Mitchell, Jr. Courthouse.

Counsel for all parties and any pro se parties must attend these hearings. An "exigent circumstance" means an unforeseen development occurring within 30 days of the pretrial conference or trial date which prevents compliance with this order.

Judge