

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

UNITED STATES OF AMERICA *ex rel.* JEAN-MARC EICHNER and BRANDON LOYD and JEAN-MARC EICHNER AND BRANDON LOYD, Individually,

Relators,

v.

OCWEN LOAN SERVICING, LLC, et al.,

Defendants.

Civil Action No. 4:19-cv-00524-ALM

**JURY TRIAL DEMANDED**

**[PROPOSED] AMENDED SCHEDULING ORDER**

The Court, after reviewing the joint proposal of the parties, hereby enters this revised case-specific order, which controls the disposition of this action pending further order of the Court. The following actions shall be completed by the date indicated.<sup>1</sup>

August 2, 2024	Mediation must occur by this date.
April 15, 2024	Disclosure of expert testimony pursuant to Fed. R. Civ. P. 26(a)(2) and Local Rule CV-26(b) on issues for which the party bears the burden of proof.
October 23, 2023	Deadline for Plaintiff to file amended pleadings (A motion for leave to amend is required.) <sup>2</sup>
June 17, 2024	Disclosure of expert testimony pursuant to Fed. R. Civ. P. 26(a)(2) and Local Rule CV-26(b) on issues for which the party does not bear the burden of proof.
21 days after the filing of Relators' Amended Complaint	Deadline for Defendants to respond to Amended Pleadings (if Relators' motion for leave to amend is granted).

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<sup>1</sup> If a deadline falls on a Saturday, Sunday, or a legal holiday as defined in Fed. R. Civ. P. 6, the effective date is the first federal court business day following the deadline imposed.

<sup>2</sup> Defendants reserve all objections/arguments, including untimeliness.

6 weeks after disclosure of an expert is made	Deadline to object to any other party's expert witnesses. Objection shall be made as a motion to strike or limit expert testimony and shall be accompanied by a copy of the expert's report in order to provide the court with all the information necessary to make a ruling on any objection.
July 3, 2024	Deadline for motions to dismiss, motions for summary judgment, or other dispositive motions.
July 17, 2024	All discovery shall be commenced in time to be completed by this date, but the parties will endeavor to substantially complete fact discovery by April 8, 2024.
October 2, 2024	Notice of intent to offer certified records
October 9, 2024	Counsel and unrepresented parties are each responsible for contacting opposing counsel and unrepresented parties to determine how they will prepare the Joint Final Pretrial Order and Joint Proposed Jury Instructions and Verdict Form (or Proposed Findings of Fact and Conclusions of Law in non-jury cases).
October 9, 2024	Deposition Designation due. Each party who proposes to offer a deposition shall serve on all other parties a disclosure identifying the line and page numbers to be offered. All other parties will have seven calendar days to serve a response with any objections and requesting cross examination line and page numbers to be included. Counsel must consult on any objections and only those which cannot be resolved shall be presented to the Court.
October 16, 2024	Motions in limine due
October 23, 2024	File Joint Final Pretrial Order ( <i>See</i> <a href="http://www.txed.uscourts.gov">www.txed.uscourts.gov</a> ).

November 1, 2024	Response to motions in limine due <sup>3</sup>
November 8, 2024	File objections to witnesses, deposition extracts, and exhibits, listed in pre-trial order. <sup>4</sup> (This does not extend deadline to object to expert witnesses.) (Provide the exhibit objected to in the motion or response). If numerous objections are filed the court may set a hearing prior to docket call.  File Proposed Jury Instructions/Form of Verdict (or Proposed Findings of Fact and Conclusions of Law)
Date will be set by Court. Usually within 10 days prior to final pretrial conf.	If numerous objections are filed, the Court may set a hearing to consider all pending motions and objections.
December 3, 2024, or another date to be set by the Court	Final Pretrial Conference at 9:00 a.m. at the Paul Brown United States Courthouse located at 101 East Pecan Street in Sherman, Texas. All cases on the Court's Final Pretrial Conference docket for this day have been set at 9:00 a.m. However, prior to the Final Pretrial Conference date, the Court will set a specific time between 9:00 a.m. and 4:00 p.m. for each case, depending on which cases remain on the Court's docket.
to be determined	10:00 a.m. Jury selection and trial (or bench trial) at the Paul Brown United States Courthouse located at 101 East Pecan Street in Sherman, Texas. Cases that remain for trial following the Court's Pretrial docket will be tried, subject to the Court's availability, between February 26, 2025, and March 29, 2025, or as soon as possible thereafter. A specific trial date in this time frame will be selected at the Final Pretrial Conference.

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<sup>3</sup> This is not an invitation or requirement to file written responses. Most motions in limine can be decided without a written response. But, if there is particularly difficult or novel issue, the Court needs some time to review the matter. To save time and space respond only to items objected to. All others will be considered to be agreed. Opposing counsel **shall confer** in an attempt to resolve any dispute over the motions in limine within five calendar days of the filing of any response. The parties shall notify the court of all the issues which are resolved.

<sup>4</sup> Within five calendar days after the filing of any objections, opposing counsel **shall confer** to determine whether objections can be resolved without a court ruling. The parties shall notify the court of all issues which are resolved. The court needs a copy of the exhibit or the pertinent deposition pages to rule on the objection.