

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

BUCKEYE DIAMOND LOGISTICS, INC.,
fka BUCKEYE RECYCLERS, INC.,

Plaintiff(s)

vs.

Case Number: C-3-01-440

CHEP USA,

Defendant(s)

ENTRY OF CONTINUANCE; NEW TRIAL DATE AND OTHER DATES SET

The captioned cause came on to be heard upon pretrial conference on June 30, 2004. For good cause shown, trial on the merits of the above captioned cause is hereby ordered reset from February 23, 2004, to October 12, 2004.

PERTINENT SETTINGS

1. Required disclosures under Fed. R. Civ. P. 26(a)(1) (including "medical package and damages package,"¹ where applicable) made or to be made on: _____

2. Settlement demand by Plaintiff upon Defendant made or to be made by: _____

¹Medical reports, medical bills, lists of special damages, certification of wage loss, hospital bills and records, other bills and expenses, etc. Plaintiff's counsel is under a continuing duty to update or supplement these packages as further information becomes available.

3. "Cut-off" date for filing of motions directed to pleadings (including motions to dismiss filed pursuant to Fed. R. Civ. P. 12): _____
"Cut-off" date for motions to amend pleadings and/or to add parties: _____

Following this date or these dates, amendment to pleadings and motions directed to pleadings may be made only upon leave of Court, with notice to opposing counsel.
4. Identification of lay witnesses with synopsis of their testimony to be filed by: _____
5. The dates to reveal the identify of expert witnesses, together with a copy of the expert's report are:

Primary Experts: _____

Rebuttal Experts: _____
6. Requests for admissions: _____
7. "Cut-off" deadline for discovery*: **September 1, 2004**
8. "Cut-off" date for filing of motions not directed to pleadings (including motions for summary judgment): **September 14, 2004**
9. Joint Final Pretrial Order by parties to be filed no later than: **Tuesday**
September 28, 2004
10. Trial exhibits to be exchanged by: **Friday**
October 1, 2004

11. Final Pretrial Conference to be held:

In Chambers on: _____

By Telephone Conference Call on: **Tuesday**
October 5, 2004
5 p.m.

The attorneys listed below need not appear in chambers for such pretrial but need only wait by their telephones at the appointed time. If any other attorneys will be substituted for those listed for such calls, it is the responsibility of counsel to NOTIFY CHAMBERS BEFORE SUCH CALL IS MADE.

12. Trial on the merits,
before the Court, beginning: _____

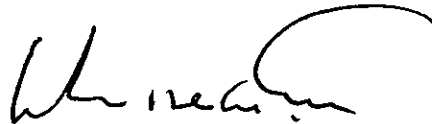
to a Jury, beginning: **Tuesday**
October 12, 2004
(14 days)

13. Contingent consent to have Magistrate Judge preside
over trial if undersigned is unavailable: _____

14. Further status conference set for: _____

15. The Law Clerk assigned to this case is: **Paul M. Lacouture**

IT IS SO ORDERED.



WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE