

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALICIA MARSHALL, <i>et al.</i> , Plaintiffs,	:	
	:	
	:	
v.	:	Civil No. 5:21-cv-04337-JMG
	:	
PRESTAMOS CDFI, LLC and	:	
CHICANOS POR LA CAUSA, INC.,	:	
Defendants.	:	

SCHEDULING ORDER

AND NOW, this 16th day of April, 2024, following a pretrial conference with counsel, and pursuant to Federal Rule of Civil Procedure 16 and Local Rule of Civil Procedure 16.1(b), **IT IS HEREBY ORDERED** as follows:

1. All motions to amend the Complaint and to join or add additional parties shall be filed on or before **May 1, 2024**.

2. Discovery in this proposed class action case will proceed in two phases: (1) initially on the Rule 23 class certification; and (2) all merits discovery necessary for trial and motions for summary judgment.

3. A status conference with counsel is scheduled for **Tuesday, June 18, 2024, at 10:00 a.m.** Plaintiff's counsel shall provide the Court and opposing counsel with conference bridge details (such as a telephone number and access code) no later than **Monday, June 10, 2024**.

4. All fact and expert discovery in Phase (1) shall be completed no later than **June 28, 2024**.

(a) Affirmative expert reports in Phase (1), if any, are due by **May 31, 2024**.

(b) Rebuttal expert reports in Phase (1), if any, are due by **June 14, 2024**.

(c) Expert depositions, if any, shall be concluded no later than **June 28, 2024**.

(d) All motions for class certification shall be filed by **July 19, 2024**. Responses shall be filed no later than **August 2, 2024**. Motions and responses shall be filed in the form prescribed in Judge Gallagher's Policies and Procedures

5. A status conference with counsel is scheduled for **Tuesday, March 4, 2025, at 10:00 a.m.** Plaintiff's counsel shall provide the Court and opposing counsel with conference bridge details (such as a telephone number and access code) no later than **Monday, February 24, 2025**.

6. All fact and expert discovery in Phase (2) shall be completed no later than **April 9, 2025**.

(a) Affirmative expert reports, if any, are due by **March 12, 2025**.

(b) Rebuttal expert reports, if any, are due by **March 26, 2025**.

(c) Expert depositions, if any, shall be concluded no later than **April 9, 2025**.

7. Any party expecting to offer opinion testimony from lay witnesses pursuant to Federal Rule of Evidence 701 with respect to the issues of liability and damages shall, at the time required for submission of information and/or reports for expert witnesses on liability and damages set forth in the preceding paragraph, serve opposing parties with concise details and/or documents covering the lay opinions of the Rule 701 witnesses, including the identity of each witness offering the expert opinion, the substance and the basis for each opinion.

8. Motions for summary judgment and *Daubert* motions, if any, shall be filed by **May 7, 2025**. Responses shall be filed no later than **May 21, 2025**. Motions and responses shall be filed in the form prescribed in Judge Gallagher's Policies and Procedures.

9. No later than **July 2, 2025**, counsel for each party shall serve upon counsel for every other party a copy of each exhibit the party expects to offer at trial.

10. No later than **July 9, 2025**, each party shall file with the Clerk of Court a pretrial memorandum. The pretrial memorandum should be prepared in accordance with the provisions of the Local Rule of Civil Procedure 16.1(c) and should also include the following items:

- (a) All stipulations of counsel.
- (b) A statement of objection to: (1) the admissibility of any exhibit based on authenticity; (2) the admissibility of any evidence expected to be offered for any reason (except relevancy); (3) the adequacy of the qualifications of an expert witness expected to testify; and (4) the admissibility of any opinion testimony from lay witnesses pursuant to Federal Rule of Evidence 701. Such objection shall describe with particularity the ground and the authority for the objection.
- (c) Deposition testimony (including videotaped deposition testimony) that the party intends to offer during its case-in-chief. The statement should include citations to the page and line number and the opposing party's counter-designations.
- (d) A statement of any anticipated important legal issues on which the Court will be required to rule, together with counsel's single best authority on each such issue.

11. All motions *in limine* shall be filed no later than **July 9, 2025**. Responses, if any, shall be filed no later than **July 16, 2025**.

12. No later than **July 16, 2025**, any objections to designations of deposition testimony shall set forth the page and line numbers of the challenged testimony and a clear statement for the basis of that objection. The objecting party must provide the Court with a copy of the deposition

transcript with the challenged testimony highlighted. Any objection not made in conformity with this Order will be deemed waived.

13. No later than **July 16, 2025** the parties shall file with the Clerk of Court joint proposed jury instructions on substantive issues and proposed verdict forms or special interrogatories to the jury. Each party shall also file proposed jury instructions, verdict forms or special interrogatories on those issues not agreed upon by the parties in their joint submission.

14. A final pretrial conference will be held on **Wednesday, July 30, 2025 at 9:30 a.m., in Courtroom 4B**, United States District Court located at 504 West Hamilton Street, Allentown, Pennsylvania 18101. Counsel shall be prepared to address any pending motions *in limine* and objections to witnesses and exhibits. Trial counsel must attend the final pretrial conference and only those attorneys attending the conference may participate in the trial.

15. The selection of a jury shall take place on **Friday, August 8, 2025, at 9:00 a.m.** Jury selection will take place at the James A. Byrne United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania, in a courtroom to be determined.

16. A jury trial shall resume before this court on **Monday, August 11, 2025, at 9:00 a.m.** at 504 West Hamilton Street, Courtroom 4B, Allentown, Pennsylvania.

17. This order shall serve as a formal attachment for trial.

BY THE COURT:

/s/ John M. Gallagher

JOHN M. GALLAGHER

United States District Court Judge