

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY

UNIVERSAL STRATEGY GROUP,)
INC.,)
)
Plaintiff,)
)
VS.) NO. 16-15-BC
)
BRIAN DAVID HALSTEAD,)
)
Defendant.)
_____)
)
BRIAN DAVID HALSTEAD, in his)
individual capacity and derivatively for)
UNIVERSAL STRATEGY GROUP,)
INC.,)
)
Counter-Plaintiff,)
)
VS.)
)
UNIVERSAL STRATEGY GROUP,)
INC., and TIMOTHY SLEMP,)
)
Counter-Defendants.)
)
CONSOLIDATED WITH
UNIVERSAL STRATEGY GROUP,)
INC.,)
)
Plaintiff,)
)
VS.) NO. 17-136-BC
)
BRIAN DAVID HALSTEAD,)
)
Defendant.)

RULE 16 CASE MANAGEMENT ORDER

Based upon the Case Management Order proposed by Counsel, the following deadlines and trial date are set for the litigation of this case. Only for good cause shown and by order of the Court may the deadlines below be changed.

1. Initial Summary Judgment Motions—Currently pending are motions for partial summary judgment filed by Defendant/Counter-Plaintiff, Brian David Halstead, and by Third-Party Defendant, Timothy Slemph. The October 5, 2017 Order setting these motions is vacated, and the motions are set to be heard December 8, 2017, at 12:30 p.m. Opposition to the motions is due December 4, 2017; replies are due December 6, 2017.

2. ESI Deadlines—Each party shall identify, by service of Notice to the other parties, a list of all devices in their possession custody, or control, or which they are otherwise aware of the existence of, which contains information relevant to the claims and defenses of the parties to these actions by November 10, 2017. Each party shall identify by not later than November 15, 2017, the search terms it wants the opposing party to run on any devices of the opposing party that are in the opposing party's possession, custody, or control. Each party shall have until November 30, 2017, to object to and file a motion to exclude ESI as to any identified device and any proposed search terms of an opposing party. Any hearing to resolve objections to search terms or ESI as to a particular device shall be conducted on December 8, 2017, at 12:30 p.m. in conjunction with the summary judgment motions identified in paragraph 1 above.

The parties shall exchange with one another their “hit lists” from the party’s respective ESI vendors acquired from running the search terms on the identified electronic devices by not later January 8, 2018. Counsel for the parties shall meet and confer to refine any search terms from the ‘hit lists” by January 16, 2018. The parties shall serve any motion as to objections to the search terms by January 19, 2018, and a hearing on any such objections shall be set to be heard not later than February 9, 2018. The parties shall run all ESI searches by February 23, 2018, and produce all non-privileged responsive documents and any privilege logs as to materials not produced for which a privilege is claimed as to any materials not produced by March 16, 2018.

3. Written Discovery—The parties shall have served all written discovery requests by not later than December 20, 2017, and responses to all such discovery requests shall be due and served such that all written discovery shall be completed by not later than January 22, 2018.

4. Fact Depositions—The parties shall take and complete fact witness (including party) depositions by not later than April 20, 2018.

5. Primary Expert Disclosures—The parties shall make their primary expert disclosures by not later than April 30, 2018.

6. Rebuttal Expert Disclosures—The parties shall make their rebuttal expert disclosures by not later than May 18, 2018.

7. Expert Depositions—The parties shall complete expert depositions by not later than June 8, 2018.

8. Remaining Dispositive Motions—The parties shall file any remaining dispositive motions by not later than July 20, 2018.

9. Pretrial Conference—A pretrial conference is set for August 30, 2017, at 9:00 a.m. By August 20, 2018, Counsel shall file the following:

- (1) A list of pattern instructions counsel anticipates requesting the Court to provide to the jury at the conclusion of the proof;
- (2) Proposed jury instructions which vary from the pattern instructions along with citations to statutory or case authority;
- (3) A proposed verdict form;
- (4) All motions in limine; and
- (5) Designations of deposition excerpts to be offered as testimony.

Responses to motions in limine, objections to deposition excerpts, and counter-designations of deposition excerpts shall be filed by August 27, 2018.

10. Trial—The case is set for two-week 12-person jury trial to begin September 17, 2018, at 9:00 a.m.

/s/ Ellen Hobbs Lyle
ELLEN HOBBS LYLE
CHANCELLOR
BUSINESS COURT DOCKET
PILOT PROJECT

cc by U.S. Mail, email, or efileing as applicable to:

Bryan K. Williams

J. Alex Little

W. Justin Adams

John R. Jacobson

D. Andrew Curtis