

## IN THE CIRCUIT COURT OF ADAIR COUNTY, MISSOURI

The Collision Company, LLC,

Plaintiff,

v.

Case No. 20AR-CV00726

State Farm Mutual Automobile  
Insurance Company,

Defendant.

**CIVIL CASE MANAGEMENT SCHEDULING ORDER**

Now on this 3rd day of April, 2025, this matter is called and is before the Court. The parties appear by counsel. The Court, being fully advised in the premises, does hereby enter the following Orders:

**IT IS HEREBY ORDERED** that this case is set for a pretrial conference on November 14, 2025, at 9:00 a.m.

**IT IS FURTHER ORDERED** and the parties are hereby advised and understand that **no continuances will be granted absent a showing of good cause and extraordinary circumstances, made known to the Court as soon as possible.** Failure to complete discovery consistent with this Scheduling Order will not be a basis for continuing the trial date.

**IT IS FURTHER ORDERED** that the parties shall comply with the following schedule:

1. Any additional parties shall be added to this litigation no later than December 31, 2023.
2. Plaintiff shall disclose and designate all experts on or before December 31, 2023, and those experts shall be deposed no later than February 23, 2024. Any rebuttal or supplemental experts shall be disclosed no later than April 19, 2024.
3. Defendants shall disclose and designate all experts on or before August 22, 2024, and those experts shall be deposed no later than February 1, 2025.

4. All discovery shall be completed and shall close (i.e. all depositions taken and responses completed to timely propounded discovery requests) on or before June 27, 2025. Discovery includes, but is not limited to, interrogatories, requests for production of documents, depositions, and requests for admissions. Per the agreement of the parties, each party may take more than ten depositions in this matter. Completion of discovery contemplates and includes timely responses to discovery requests. Discovery may not be conducted after the closure date except by agreement of the parties or a prior order of the Court for good cause shown upon the filing of a timely motion to extend discovery filed before the original closure date. *An agreement of the parties to conduct discovery after the closure day shall **not** constitute grounds for continuance of the trial. The failure of the parties to timely complete discovery shall **not** constitute grounds for continuance of the trial.* Nothing contained herein shall excuse a party from the continuing obligation to update responses to discovery or to respond to discovery requests made before the closure date set forth above.

5. Any and all dispositive motions shall be filed on or before July 28, 2025. Any dispositive motion filed after said date will be considered together with the trial of case.

**IT IS FURTHER ORDERED** that the parties shall comply with the following procedures pertaining to a pre-trial conference and other related pre-trial procedures – the terms of this section shall apply in **all** cases, even those cases where the parties have stipulated and agreed to the creation of their own scheduling order:

1. If, one month prior to the scheduled trial date, this case has not been settled, the parties shall attend the pre-trial conference. Counsel who will actually try the case must attend the pre-trial conference.

2. No later than one week before the date of the pre-trial conference with the Court, counsel shall meet with each other for an informal pre-trial conference, at which time they shall:

- A. Discuss and thoroughly exhaust all settlement possibilities;
- B. Enter into all possible stipulations of fact;
- C. Pre-mark exhibits and exchange exhibit lists;

D. Exchange exhibits and stipulate, whenever possible, as to waiver of foundation and identification of exhibits; and

E. Identify and discuss their respective deposition, designations and interrogatory designations, discuss any objections thereto, and resolve, whenever possible, any objections regarding such designations.

3. No later than fourteen days before the pre-trial conference, counsel **shall** provide to the Court and/or file with the Court all Motions in Limine, deposition designations and interrogatory designations. Any party opposing same **shall** provide to the Court and/or file with the Court, their opposition/objections thereto, no later than two days before the pre-trial conference. Courtesy copies of any such pleadings filed with the Court shall be provided to the clerk (such courtesy copies **shall** be marked as “courtesy copies” and shall reflect the file stamp date of the original). **Any Motions in Limine, deposition designations, interrogatory designations, and/or opposition/objections thereto, which are not timely filed and provided to the Court as set forth above, will not be considered by the Court.**

4. No later than three days before the pre-trial conference, counsel shall provide the Court with an electronic copy of “clean” and “dirty” proposed jury instructions (prepared in accordance with Missouri Rule of Civil Procedure 70).

5. At the pre-trial conference, counsel and the Court will discuss the following subjects, plus any others deemed appropriate:

A. Status of settlement negotiations and examine the possibility of settlement;

B. Length of trial;

C. Number of prospective jurors to be requested, number of alternate jurors to be seated, juror note taking, and juror questions;

D. Invoking the rule;

E. Special or unusual proposed voir dire questions (such as insurance);

F. Legal, procedural, and evidentiary issues;

G. Motions in Limine and opposition thereto, provided they have been timely filed and provided to the Court as set forth in paragraph 4 above. The Court will rule thereon;

H. Proposed jury instructions. In addition to the electronic copies of instructions provided according to paragraph 4 above, the parties shall provide the Court and opposing counsel with an original and one hard copy of the proposed jury instructions – i.e. one “clean” and one “dirty” copy (prepared in accordance with Missouri Rule of Civil Procedure 70). Counsel shall be prepared to fully discuss the instructions at the pre-trial conference.

I. Deposition designations, foundations for same, including possible waiver thereof or agreement thereon, and objections to reading certain portions of depositions, provided they have been timely filed and/or provided to the Court as set forth in paragraph 4 above. The Court will rule thereon;

J. Designation of any answers to interrogatories or responses to request for admissions which any party proposes to read at trial, and any objections to reading same, provided they have been timely filed and/or provided to the Court as set forth in paragraph 4 above. The Court will rule thereon;

K. Any stipulations of fact and stipulations as to exhibits; and

L. Provide and/or file with the Court, an original and one copy of any trial briefs, exhibit lists, and witness lists, and provide copies of same to opposing counsel.

6. There will be a rebuttable presumption that any motions, designations, or objections required by this order are waived if not timely presented at the pretrial conference.

7. The deadlines provided in this order with the exception of the pretrial conference and trial date may be modified by agreement of all parties. **Any such modification, however, shall be reduced to a writing signed by all parties and must be efiled with the Court.**

8. This case is set for a five (5) day jury trial beginning on December 15, 2025, at 8:30 am.

**IT IS SO ORDERED.**

Dated: April 3, 2025

Terry Tschannen, Circuit Judge

**COURT SEAL OF**



**ADAIR COUNTY**