

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

GARNET TURNER)
individually and on behalf of all others)
similarly situated, et al.,)

Plaintiffs,)

v.)

CASE NO. 2:13-CV-685-WKW

ALLSTATE INSURANCE)
COMPANY,)

Defendant.)

JOHN E. KLAAS)
on behalf of himself and all others)
similarly situated, et al.,)

Plaintiffs,)

v.)

CASE NO. 2:15-CV-406-WKW

ALLSTATE INSURANCE)
COMPANY,)

Defendant.)

ORDER

Before the court is the *Turner* Plaintiffs’ motion for an order reinstating the parties’ planning report, or, in the alternative, for issuance of a Uniform Scheduling Order. (Doc. # 93.) The parties’ planning report (Doc. # 26) was filed

on January 6, 2014,¹ prior to consolidation of these cases. Many of the deadlines in the report have passed. Accordingly, it is ORDERED that the motion (Doc. # 93) DENIED.

Further, it is ORDERED that, **on or before February 22, 2016**,² the parties shall confer, consider the possibilities for promptly settling or resolving the case, and develop a proposed discovery plan.

It is further ORDERED that the parties' Rule 26(f) report containing the discovery plan shall be filed as soon as practicable but not later than **February 22, 2016**.

The longstanding practice in this district is that dispositive motions shall be filed no later than 90 days prior to the pretrial date. If the parties seek to vary from that schedule, they should present, in the plan, specific case-related reasons for the requested variance. In their Rule 26(f) report, however, the parties should assume that the 90-day requirement will apply.

¹ On August 20, 2015, *Turner, et al. v. Allstate Insurance Company*, Case No. 2:13-CV-685, was reassigned to the undersigned. *Klaas, et al. v. Allstate Insurance Company*, Case No. 15-CV-406, was transferred to this court from the United States District Court for the Middle District of Florida on June 9, 2015, and the case was assigned to the undersigned on July 17, 2015. The cases were consolidated on August 20, 2015.

² A July 20, 2015 Order in *Klaas, et al. v. Allstate Insurance Company*, Case No. 15-CV-406, required the parties in that case to file a report pursuant to Rule 26(f). (Doc. # 33.) On July 29, 2015, the court vacated that order "pending this court's decision regarding consolidation of th[at] case with *Turner, et al., v. Allstate Insurance Company*, No. 2:13-CV-00685-WKW-PWG, and the resolution of the pending motion to dismiss." (Doc. # 37.) The court has since consolidated the cases and has ruled on the motion to dismiss that was pending on July 29, 2015. (Doc. # 61.) It is not necessary to delay the filing of the report pending a ruling on the current motion to dismiss (Doc. # 63).

This case will be set for trial before the undersigned judge during one of that judge's regularly scheduled civil trial terms, within 14 to 16 months of this order if a term is available and, if not available, then as soon as possible thereafter. The pretrial date is normally set within four to six weeks of a scheduled trial term. The dates of each judge's civil trial terms are available on the court's website located at <http://www.almd.uscourts.gov>.

The court may or may not hold a scheduling conference before issuing a scheduling order. If the court holds a scheduling conference, counsel may participate in the scheduling conference by conference call.

The scheduling order entered by the court will follow the form of the Uniform Scheduling Order adopted by the judges of this court. The Uniform Scheduling Order is also available on the court's website.

The report of the parties should comply with Form 52 of the Appendix of Forms to the Federal Rules of Civil Procedure.

DONE this 20th day of January, 2016.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE