

DISTRICT OF COLUMBIA CONTRACT APPEALS BOARD

APPEAL OF:

FORNEY ENTERPRISES, INC.)
) CAB No. D-1383
Under Contract No. DCAM-2007-B-0069)

SCHEDULING ORDER

Filing ID #51761931

Pursuant to Board Rules of Procedure 101.4, the Board issues the following revised Scheduling Order herein:

- April 17, 2013 The parties shall respond to all outstanding discovery requests. In particular, the District shall answer Appellant’s interrogatories, respond to Appellant’s requests for production of documents, produce documents responsive to Appellant’s document requests, and file its Answer. The District shall provide dates on which all current District employees whom Appellant seeks to depose are available for deposition, with such dates occurring no later than May 10, 2013. The District shall provide the last known addresses and contact information for all former District employees as part of its responses to Appellant’s interrogatories.
- April 29, 2013 Appellant’s expert report shall be disclosed (with the District having provided Appellant the requested maintenance reports and inspections records for Boiler No. 3).
- May 10, 2013 Non-expert discovery shall be completed. (This deadline is contingent on the relevant witnesses being made available or successfully subpoenaed by the Board before this date. If, for reasons outside of the parties’ control, witnesses cannot be available by this date, this deadline may be extended without leave of the Board until such time as the parties are able to conduct the necessary depositions.)
- May 21, 2013 The District’s expert report shall be disclosed. The District shall make its expert available for deposition on or before May 31, 2013.
- May 31, 2013 Expert discovery shall be completed.
- June 3, 2013 The parties shall submit a joint pretrial statement including respective exhibit and witness lists, and a statement of stipulated facts. The Board shall be given a tabbed, indexed single courtesy copy (3 ring binder) of the Appeal File and Appeal File Supplement exhibits.
- June 4, 2013 Prehearing conference at the Board, beginning at 10:30 a.m.

June 11, 2013

Hearing on the merits of the claims in the Office of Administrative Hearings courtroom, Suite 450 North, at 10:30 a.m. The hearing shall conclude on June 12, 2013. The District shall provide a court reporter.

This Scheduling Order may be amended only by Board order upon motion properly filed and served.

SO ORDERED.

Date: April 12, 2013

/s/ Maxine E. McBean
MAXINE E. McBean
Administrative Judge

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