

STATE OF VERMONT

SUPERIOR COURT

CIVIL DIVISION

Orange



Unit

Docket No.: 23-CV-02848

Plaintiff(s)

John W. Durkee, Executor

VS.

Defendant(s)

Trina Brassard et. al.

DISCOVERY/ALTERNATE DISPUTE RESOLUTION STIPULATION

The parties to the above entitled cause stipulate that the Court may order the following ADR and Discovery Schedule:

1. All pretrial motions, except those based on the circumstances that arise after the cutoff date or a motion to dismiss for lack of subject matter jurisdiction shall be filed by 6/1/2025. Motions in Limine must be filed by the date of Jury Drawing on issues known to counsel at that time.
2. Third parties shall be brought into the action pursuant to V.R.C.P. 14 no later than NA.
3. All written Discovery shall be sent to the opposite party no later than 10/1/2025. Answers thereto shall be sent no later than per VRCP.
4. Plaintiff shall disclose experts by 2/1/2025. Defendant shall depose those experts, if it chooses to do so by w/in 45 days.
5. Defendant shall disclose experts by 4/1/2025. Plaintiff shall depose those experts if it chooses to do so by w/in 45 days.
6. Depositions of all witnesses other than expert witnesses shall be scheduled and taken no later than 2/1/2025.
7. All compulsory medical examinations, if required, shall be scheduled and have been conducted by NA.
8. The parties shall agree to one of the following ADR procedures as set forth in V.R.C.P. Rule 16.3.



Mediation

Michael Marks, Esq

Name of Neutrals(s), if agreed)



Binding Arbitration

Name of Neutrals(s), if agreed)



Neutral Evaluation

Name of Neutral, if agreed)



Other Method

Proposed Agreement and procedure shall be submitted to the Court for approval.

9. Agreement, if any, concerning the payment of the neutral's fees and expenses shall be submitted with Stipulation.

10. The Alternate Dispute Resolution Session shall be completed by 6/1/2025.

Please specify one of the following options:



A. Case Statement, if appropriate, shall be filed with the neutral by 7/1/2025.

Necessary Discovery shall be completed by _____.



B. We agree to accept the assistance of the designated neutral in setting a schedule for completion of the process

11. Discovery shall be complete and this case ready for trial by _____.

Estimate Length of Trial: 5 day(s) or _____ hour(s)

Approved and So Ordered.

September 3, 2024.

Date
8/15/2024

Attorney for Plaintiff
/s/ Richard Windish, Esq.

Date
8/15/2024

Attorney for Plaintiff
/s/ Elizabeth Willhite, Esq.

Date
8/15/2024

Attorney for Defendant
/s/ Todd C Steadman, Esq.

Date
8/15/2024

Attorney for Defendant
/s/ Barnev Brannen, Esq.

Vermont Superior Court
Filed 09/03/24
Orange Unit

Electronically signed pursuant to V.R.E.F. 9(d)

Daniel Richardson
Superior Court Judge