

**IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT  
WITHIN AND FOR UINTA COUNTY, WYOMING**

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	)	
Plaintiff,	)	CV-
	)	
vs	)	
	)	
	)	
	)	
Defendant.	)	

**SCHEDULING ORDER ON VERIFIED PETITION TO MODIFY  
CUSTODY, VISITATION, AND SUPPORT**

**IT IS HEREBY ORDERED THAT** this matter is set for an evidentiary hearing to be held in the District Courtroom, Uinta County Courthouse, Evanston, Wyoming beginning on **July 26, 2023, beginning at 1:30 p.m. and is scheduled for one half (1/2) day.** All parties shall appear **in person.**

**IT IS FURTHER ORDERED** that:

**Rule 26 Disclosures:** The parties shall serve their initial disclosures pursuant to W.R.C.P. 26(a)(1.1) or (1.2) no later than thirty (30) days after the entry of this order.

**Guardian Ad Litem:** If custody is substantially contested, within sixty (60) days after the entry of this order, the parties shall either: (1) select a qualified guardian ad litem and submit a proposed order appointing the guardian ad litem; (2) notify the Court that they cannot agree on a guardian ad litem and submit a proposed order with a blank for the Court to select the guardian ad litem; or (3) notify the Court that both parties agree that good cause exists to waive the appointment of a guardian ad litem and describe with specificity what good cause outweighs the benefits to the child(ren) of being represented. The cost of the guardian ad litem will normally be divided equally

between the parties, but the Court may equitably allocate the guardian ad litem's fees in the final order. Upon stipulation of the parties or upon motion to the Court, a GAL may be appointed at a later date if necessary, however the parties should make all reasonable efforts to determine whether a GAL is necessary within 60 days after entry of this order.

**Designation of Fact Witnesses.** Parties shall designate fact witnesses no later than sixty (60) days after the entry of this order. Parties shall list of the names and addresses of the witnesses whom they may call to testify, together with a summary statement of the testimony intended to be elicited from each witness.

**Designation of Expert Witnesses.** Parties shall designate expert witnesses in conformity with the requirements of W.R.C.P. 26(a)(2) no later than ninety (90) days after the entry of this order. This deadline applies to those specially retained expert witnesses, designated pursuant to W.R.C.P. 26(a)(2)(B), from whom an expert report is required as well as those witnesses designated pursuant to W.R.C.P. 26(a)(2)(C), who are expected to provide opinion testimony but from whom no report is required. The disclosure of W.R.C.P. 26(a)(2)(C) witnesses shall be accompanied by the summary of the facts or opinions to which the witness is expected to testify and disclose the subject matter on which the witness is expected to present evidence, as specified in W.R.C.P. 26(a)(2)(C). Expert witnesses not designated will be prohibited from testifying, absent consent of the Court for good cause shown.

**Discovery Cut-Off.** The discovery cut-off date is 150 days after the entry of this order. All written discovery requests must be served upon the opposing party at least 30 days before the discovery cut-off. No discovery will be permitted beyond the discovery cut-off. All depositions must be completed by the discovery cut-off.

The parties have a continuing duty to disclose information and material as it becomes known, even after the deadlines set herein, pursuant to W.R.C.P. 26(e).

**Discovery Disputes.** Any motion seeking relief due to a discovery dispute shall contain a certification that, prior to filing the motion, the movant has in good faith conferred with the opposing person or party to resolve the discovery dispute before seeking Court intervention and/or the opposing person's or party's position on the motion. In the event that the movant has been unable to confer with the opposing person or party to resolve the discovery dispute before seeking Court intervention, then the movant shall certify a description of all good faith efforts taken by the movant to resolve the discovery dispute before seeking Court intervention. Movant's failure to so certify may result in automatic denial of the motion. Any response to a motion involving a discovery dispute shall be filed within ten (10) calendar days after service of the motion. Replies to responses are not favored, but if necessary to address new matters raised in a response, any reply shall be filed within five (5) calendar days after service of the response. *Both the motion and any response shall be accompanied by a proposed order.* The Court will decide the motion upon the written submissions unless it determines that a hearing would be helpful.

**Non-Dispositive Motions.** Pursuant to U.R.D.C. 801(a)(7), a moving party must confer in good faith with opposing counsel prior to filing any motion, whether substantive, procedural, or even trivial. Accordingly, every non-dispositive motion must state that the movant has conferred as required by this rule and state the opposing person or party's position on the proposed motion. If the movant has been unable to confer with the opposing person or counsel before filing the motion, then the movant must describe their attempts to confer and explain why the motion should be considered by the Court before the parties have conferred. Failure to comply with these requirements may result in dismissal of the motion.

**Prehearing Conference:** A prehearing conference is set for **11:00 a.m. on July 5, 2023**, to be held in the District Court, 225 9<sup>th</sup> St., Evanston, Wyoming. The Court has set aside one (1) hour for the prehearing conference.

**Prehearing Memoranda:** Seven calendar days before the Prehearing Conference, the parties shall file and serve prehearing memoranda containing: (1) a statement of the case containing a brief summary of the facts of the case; (2) a statement of the factual and legal issues presented; (3) a statement of the party's position on the disputed issues (4) the financial affidavit required by Wyoming Statute § 20-2-308; (5) a list of all witnesses, whether fact or expert, the party intends to call at the hearing, identifying whether each witness will or may be called; (6) a list of all exhibits the party intends to introduce at trial; and (7) an estimate of the time necessary for hearing. Absent good cause shown, exhibits which are not marked and provided to the other party with the prehearing memoranda will not be received, nor shall any witness be permitted to testify unless they are identified on the witness list.

**Emergencies:** Nothing contained in this Order shall prevent the parties from seeking temporary relief in a genuine emergency prior to the hearing when immediate action is required to assure the welfare of the child(ren).

**Court Reporter Requirements:** Any party requesting the reporting of a particular matter by the Official Court Reporter shall file a written notice with the Clerk of the District Court and provide a copy of the written notice to Judge Kaste's Official Court Reporter at least three (3) working days before the matter is set for hearing or trial. The notice is required for all civil matters. Fees or costs for reporting opening statements, closing arguments, motions before or after trial proceedings, special transcripts, or other special requests by a party shall be as agreed between the requesting party and the Official Court Reporter and paid by the requesting party.

DONE IN CHAMBERS \_\_\_\_ day of \_\_\_\_\_, 2023.

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JAMES KASTE  
District Court Judge

**CERTIFICATE OF SERVICE**

I, \_\_\_\_\_, Deputy Clerk of Court, Uinta County, Wyoming, hereby certify that I served true and correct copies of the foregoing on the \_\_\_\_\_ day of February, 2023, to the following:

Augustus Wagner  
Hilstad Law Office  
PO Box 1060  
Green River WY 82935

Lauren Browne  
Mannen Browne LLC  
PO Box 3337  
Jackson WY 83001

By: \_\_\_\_\_  
Deputy Clerk of Court