

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

Samuel K. Lipari, )  
 )  
Plaintiff, )  
 )  
vs. ) No. 06-1012-CV-W-FJG  
 )  
U.S. Bancorp and )  
 )  
U.S. Bank National Association, )  
 )  
Defendants. )

**ORDER**

The proposed discovery plan and scheduling order pursuant to Local Rule 16.1(d) shall be filed on or before February 9, 2007. Prior to this filing the parties shall conduct their Rule 16(b) conference.

Local Rule 16 of this Court provides that plaintiff's counsel shall take the lead in the preparation of a proposed scheduling order. Where plaintiffs are acting pro se, it is the custom and practice of this division to require defendants' counsel to assume that duty. It is therefore

ORDERED that counsel for defendants, after consultation with plaintiff, take the lead in preparing a proposed scheduling order for execution and filing with the court.

/s/Fernando J. Gaitan, Jr.  
Fernando J. Gaitan, Jr.  
United States District Judge

Dated: 1/3/07  
Kansas City, Missouri