

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MALACHI BIGGS,

Plaintiff,

v.

Civil Action No. 26-574-CFC

DELAWARE STATE
UNIVERSITY, DESEAN
JACKSON, TRAVIS CLARK,
JANE HICKS, and ANTHONY
HERBERT,

Defendants.

MEMORANDUM ORDER

Whereas Plaintiff initiated this case with the filing of a Complaint in the Superior Court of Delaware on April 23, 2026, D.I. 1 ¶ 1;

Whereas Plaintiff alleged in the Complaint state tort claims arising out of an incident that occurred in November 2025, D.I. 1-1 at 18–70;

Whereas on May 19, 2026, Defendants Delaware State University, DeSean Jackson, Travis Clark, and Jane Hicks removed the case to this Court;

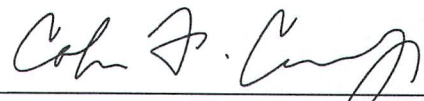
Whereas the Superior Court had jurisdiction over the case;

Whereas I can think of no good reason that would explain Defendants' decision to remove the case to this Court; and

Whereas the removal of this case by Defendants caused delay and increased the burden and cost on Plaintiff to litigate this matter;

NOW THEREFORE, at Wilmington on this Twenty-seventh day of May in 2026, it is HEREBY ORDERED that:

1. Unless Plaintiff objects, trial will be held in this case on December 14, 2026 and the Pre-trial Conference will be held on November 24, 2026 at 9:00 a.m. in Courtroom 4B;
2. Discovery will begin immediately and will not be stayed or delayed pending the resolution of any pretrial motions;
3. An in-person scheduling conference pursuant to Fed. R. Civ. P. 16(b) will be held on **Friday, June 5, 2026 at 10:30 a.m.** in Courtroom 4B.
4. The parties shall confer about scheduling and discovery limitations, and attempt to reach agreement. The parties shall use as a basis for discussion the Court's "Rule 16 Scheduling Order for Non-Patent Cases" (**revised on May 1, 2026**), available on the Court's website. No later than 48 hours before the scheduling conference, counsel for Defendant shall file on behalf of both parties a proposed scheduling order using the "Rule 16 Scheduling Order for Non-Patent Cases" form. If the parties have no disputes about the scheduling order, the Court will not require the parties to appear at a conference.
5. The parties shall direct any requests or questions regarding the scheduling or management of this case to the Court's Case Manager at (302) 573-6129.



CHIEF JUDGE