

8.1 ORDER REQUIRING JOINT SCHEDULING REPORT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MAJOR
PRIEST LAKE CITY DIVISION
CASE NO. [Case No.]

[Plaintiff],
Plaintiff,
vs.
[Defendant],
Defendant.

_____ /

ORDER REQUIRING JOINT SCHEDULING REPORT

THIS MATTER came before the Court upon the filing of the Complaint. The Court has reviewed the Complaint and is fully advised. It is

ORDERED:

1. Plaintiff(s), through counsel, or if unrepresented, personally, shall provide copies of this order to all counsel and any unrepresented parties when they file an appearance in the case.

2. **Joint Scheduling Report (JSR).** Pursuant to Fed.R.Civ.P. 26(f) and Local Rule 16.1B, the parties are jointly responsible for conferring to develop a Joint Scheduling Report that sets out a proposed case management and discovery plan. By **[Date - 75 days out]**, the parties must jointly file with the Court a scheduling report that includes a complete list containing the names, addresses, phone, facsimile and bar numbers of each counsel. Parties do not need to submit a proposed scheduling order with the Report. **If Plaintiff has not effectuated service on all defendants at least forty (40) days from the date of this Order**, Plaintiff must file a motion to extend the

time to file the JSR, specifying the date on which service will be completed and the JSR will be filed.

3. The **Joint Scheduling Report** shall include the following:

A. A short, plain statement of the nature of the claim, any counterclaims, crossclaims or third-party claims with a good faith estimate of the specific dollar valuation of damages claimed and any other relief sought.

B. A brief summary of the facts that are uncontested or which can be stipulated to without discovery.

C. A list of the legal elements of each claim and defense asserted. Consult the Eleventh Circuit or applicable state standard jury instructions for the legal clients for each claim and defense. This list will be used to help resolve relevance issues in discovery.

D. Whether discovery should be conducted in phases or limited to certain issues.

E. A detailed schedule of discovery for each party.

F. Proposed dates and/or deadlines for: Trial; joinder of other parties; amending pleadings; filing motions (Class Certification, Summary Judgment, Daubert, Markman); completing fact and expert discovery; exchanging Fed. R. Civ. P. 26(a) (3) disclosures; completing mediation; and holding any status, specialized hearings (Markman), and pretrial conferences. **All Fed. R. Civ. P. 26(a)(3)(A) disclosures must be made at least forty (40) days before the agreed fact discovery cutoff.** Fifteen (15) weeks must be scheduled between the Summary Judgment Motion deadline and the pretrial conference to complete briefing and ruling prior to the pretrial stipulation

deadline. Pretrial Conferences are set a month before trial. **Attachment A to this order is a case management deadline worksheet for the parties' convenience.**

G. Estimated length of trial and whether it is jury or non-jury.

H. A list of all pending motions, whether each is "ready" for review, the date each became ready and a summary of the parties' respective positions with respect to each motion.

I. Any unique legal or factual aspect of the case requiring the Court's special consideration.

J. A statement as to the need (or agreement) to refer matters to a Magistrate Judge or special master, including motions to dismiss, motions for summary judgment and discovery. As part of the Joint Scheduling Report, the parties shall jointly complete and file with the Court the **Magistrate Judge jurisdiction election form for motions appended to this Order as Attachment B**. The Court will not accept unilateral submissions in this regard; thus, a "Yes" should be checked only if all parties agree. If all parties consent to a full disposition of the case by the Magistrate Judge, including trial and entry of final judgment, **Attachment C is an election form which all parties must sign and file.**

K. The status and likelihood of settlement.

L. Any other matters that Local Rule 16.1B requires, or that may aid in the fair, expeditious and efficient management and/or disposition of this action.

4. Disclosures required under Fed. R. Civ. P. 26(a)(1)-(2) must be made at or before the time the parties confer to develop their case management and discovery plan. The parties must certify in the Joint Scheduling Report that such disclosures have

been made unless a party objects that the required disclosure(s) is not appropriate under the circumstances, and files an objection to the specific disclosure(s). The filed objection must include a full explanation of the basis for the objection.

5. If after receipt of the parties' Joint Scheduling Report the Court determines that a Rule 16(b) Fed. R. Civ. P. scheduling and planning conference is necessary, the court shall set a hearing. The parties should be prepared to argue all motions pending at the time of the hearing.

ORDERED in Priest Lake City, Major, _____ day of _____,
20____. (month) (day)
(year)

UNITED STATES DISTRICT JUDGE