

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

Plaintiff(s),
vs

Defendant(s)

CIVIL NO.

CJRA TRACK:

PRESUMPTIVE TRIAL MONTH:

JUDGE:

JOINT REPORT OF PARTIES
AND PROPOSED SCHEDULING AND DISCOVERY ORDER

Pursuant to Federal Rule of Civil Procedure 26(f) and SDIL-LR 16.2(a), an initial conference of the parties was held on _____ with attorneys and/or unrepresented parties _____ participating.

SCHEDULING AND DISCOVERY PLANS WERE DISCUSSED AND AGREED TO AS FOLLOWS:

1. Initial interrogatories and requests to produce, pursuant to Federal Rules of Civil Procedure 33 and 34 shall be served on opposing parties by _____.
2. Plaintiff's deposition shall be taken by _____.
3. Defendant's deposition shall be taken by _____.
4. Motions to amend the pleadings, including the commencement of a third party action, shall be filed by _____ (which date shall be no later than **90 days** following the Scheduling and Discovery conference).
5. Expert witnesses shall be disclosed, along with a written report prepared and signed by the witness pursuant to Federal Rule of Civil Procedure 26(a)(2), as follows:
Plaintiff's expert(s): _____
Defendant's expert(s): _____
Third Party expert(s): _____

6. Depositions of expert witnesses must be taken by:
Plaintiff's expert(s): _____.
Defendant's expert(s): _____.
Third Party expert(s): _____.
7. The parties **CERTIFY** that they have discussed, in particular, the proportionality of discovery, the burden and expense associated with discovery, and the discovery of electronically stored information (ESI). The parties do do not anticipate a need for an ESI protocol. The parties shall submit to the Court any joint proposed ESI protocol no later than _____. (The protocol shall contain mechanisms for addressing necessary topics concerning ESI to include sources of information, search terms, format of production and preservation of ESI by both Plaintiff(s) and Defendant(s)).
8. **Discovery** shall be completed by _____ (which date shall be no later than **115 days** before the first day of the month of the presumptive trial month or the first day of the month of the trial setting). Any written interrogatories or request for production served after the date of the Scheduling and Discovery Order shall be served by a date that allows the served parties the full **30 days** as provided by the Federal Rules of Civil Procedure in which to answer or produce by the discovery cut-off date.
9. All **dispositive motions** shall be filed by _____ (which date shall be no later than **100 days** before the first day of the month of the presumptive trial month or the first day of the month of the trial setting). Dispositive motions filed after this date will not be considered by the Court.
10. The parties are reminded that, prior to filing any motions concerning discovery, they must first meet and confer relating to any discovery disputes and then contact the Court to arrange a telephone discovery dispute conference if they are unable to resolve their dispute. If the dispute cannot then be resolved in the first telephonic conference, the Court will establish, with the input of the parties, the mechanism for submitting written positions to the Court on an expedited basis.

DATED:

Attorney(s) for Plaintiff(s)

Attorney(s) for Defendant(s)

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SCHEDULING AND DISCOVERY ORDER

Depositions upon oral examination, interrogatories, request for documents, and answers and responses thereto shall not be filed unless on Order of the Court. Disclosures or discovery under Rule 26(a) of the Federal Rules of Civil Procedure are to be filed with the Court only to the extent required by the final pretrial order, other order of the Court, or if a dispute arises over the disclosure or discovery.

Having reviewed the Report of the Parties and finding that the parties have complied with the requirements of Federal Rule of Civil Procedure 26(f) and SDIL-LR 16.2(a), the Court hereby approves and enters the Proposed Scheduling and Discovery Order as submitted by the parties/as modified at the Pretrial Scheduling and Discovery Conference.

A. A settlement conference is set before _____ in accordance with SDIL-LR 16.3(b) on _____ at _____ in _____.

B. A final pretrial conference is set for _____ at _____ before the trial judge in accordance with SDIL-LR16.2(b).

As initially set by the Court, the presumptive trial month is _____.

IT IS SO ORDERED.

DATED:

United States Magistrate Judge