

UNITED STATES DISTRICT COURT
DISTRICT OF MISSISSIPPI

Plaintiff

v.

CIVIL ACTION NO.

Defendant

UNIFORM LOCAL RULE 26.1 VIOLATION ORDER

1. PARTY SANCTIONED AND COUNSEL: _____ Plaintiff _____ Defendant _____ Third Party

Violation(s)

- _____ Failure to conduct early meeting of counsel.
- _____ Untimely or incomplete service of initial disclosures.
- _____ Failure to file notice of service of disclosures.
- _____ Failure to provide complete privilege log.
- _____ Failure to prepare proposed case management order.
- _____ Untimely or inadequate submission of settlement memorandum.
- _____ Failure to be prepared for meaningful settlement discussions or to have party or representative with settlement authority present or available by telephone during settlement conference.
- _____ Untimely or incomplete designation of expert witness(es) and required disclosures.
- _____ Failure to timely supplement pre-discovery disclosure.
- _____ Failure to timely submit stay order when remand or qualified immunity motion filed.

_____ Failure to timely submit order lifting stay after ruling on remand or qualified immunity motion.

Court Order(s)

_____ Sanctioned party shall fully comply with the violated UNIFORM LOCAL RULE 26.1 provisions within _____ days.

_____ Discovery by the sanctioned party is stayed pending compliance with violated UNIFORM LOCAL RULE 26.1 provision(s).

Monetary Sanction(s)

_____ A court sanction of \$50.00 is imposed on the sanctioned party for each of the violations checked above. Additional sanction(s) for flagrant violation(s): \$_____. A total sanction in the sum of \$_____ shall be paid to the office of the clerk of this district.

_____ The sanctioned party shall pay attorneys' fees and/or costs to opposing counsel in the sum of \$_____.

Other Sanctions

_____ The sanctioned party shall not be permitted to use as evidence at trial, at a hearing, or on a motion, any witness or information not disclosed.

_____ The jury shall be informed of the disclosure violation(s).

For failure to disclose and present complete privilege log, the sanctioned party has waived (✓ as appropriate)

_____ attorney/client privilege

_____ work product privilege

_____ medical privilege. The waiver of medical privilege is for all medical records and allows *ex parte* communication with physicians and medical providers.

_____ The sanctioned party's expert(s), _____, may be deposed forthwith at the expense of the party in violation of the case management order.

_____ The sanctioned party's expert(s), _____, shall be stricken and not allowed to testify at trial, at a hearing, or on a motion.

_____ The sanctioned party is directed to show cause within thirty days why the court should not issue a censure or reprimand for failure to comply with UNIFORM LOCAL RULE 26.1.

ORDERED, this the _____ day of _____ 20 .

UNITED STATES MAGISTRATE JUDGE