Last Updated: Dec 2016

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FORM 1 (ND/SD MISS. DEC. 2016)

UNITED STATES DISTRICT COURT
CHOOSE DISTRICT: DISTRICT OF MISSISSIPPI
EASTERN DIVISION

Enter Plaintiff(s) here: **PLAINTIFF**

v. **CIVIL ACTION NO.**

Enter Defendant(s) here: **DEFENDANT**

CASE MANAGEMENT ORDER

This Order, including all deadlines, has been established with the participation of all parties and can be modified only by order of the Court on a showing of good cause supported with affidavits, other evidentiary materials, or reference to portions of the record.

IT IS HEREBY ORDERED:

1. **ESTIMATED DAYS OF TRIAL:** _____

   ESTIMATED TOTAL NUMBER OF WITNESSES: _____

   EXPERT TESTIMONY EXPECTED: Yes **NO. OF EXPERTS:**

2. **ALTERNATIVE DISPUTE RESOLUTION [ADR].** Edit #2

   Alternative dispute resolution techniques appear helpful and will be used in this civil action as follows:

3. **CONSENT TO TRIAL BY UNITED STATES MAGISTRATE JUDGE.**

   The parties consent to trial by a United States Magistrate Judge.

4. DISCLOSURE. Edit #4

The following additional disclosure is needed and is hereby ordered:

5. MOTIONS; ISSUE BIFURCATION. Edit #5

Staged resolution/bifurcation will assist in the prompt resolution of this action. The Court orders that:

Early filing of the following motion(s) might significantly affect the scope of discovery or otherwise expedite the resolution of this action:

6. DISCOVERY PROVISIONS AND LIMITATIONS.

A. Interrogatories are limited to _____ succinct questions.

B. Requests for Production are limited to _____ succinct questions.

C. Requests for Admissions are limited to _____ succinct questions.

D. Depositions are limited to the parties, experts, and no more than

_____ fact witness depositions per party without additional approval of the Court.

E. The parties have complied with the requirements of Local Rule 26(e)(2)(B) regarding discovery of electronically stored information and have concluded as follows [The parties MUST state whether or not there is ESI and, if so, how they propose to address it]:

F. The court imposes the following further discovery provisions or limitations:

☐ 1. The parties have agreed that defendant may obtain a Fed. R. Civ. P. 35 (L.U.Civ.R. 35) medical examination of the plaintiff (within subpoena range of the court) by a physician who has not examined the plaintiff, and that defendant may arrange the examination without further order of the court.

☐ 2. Pursuant to Rule 502(d) of the Federal Rules of Evidence, the attorney-client privilege and the work-product protections are not waived by any disclosure connected within this litigation pending before this Court. Further, the disclosures are not waived in any other federal or state proceeding.

☐ 3. Plaintiff must execute an appropriate, HIPAA-compliant medical authorization.

☐ 4. The court desires to avoid the necessity of filing written discovery motions where court participation in an informal discussion of the issue might resolve it, even after the parties have been unsuccessful in a good faith attempt to do so. Consequently, before a party may serve any discovery motion, counsel must first confer in good faith as required by F.R. Civ. P. 37(a)(1). If the attorney conference does not resolve the dispute, counsel must contact the chambers of the magistrate judge to request a telephonic conference to discuss the issue as contemplated by F.R. Civ.P. 16(b)(3)(B)(v). Only if the telephonic conference with the judge is unsuccessful in resolving the issue may a party file a discovery motion

☐ 5. Other:

Additional Provisions:

7. SCHEDULING DEADLINES

A. Trial. This action is set for Choose Type: RESET DURATION

beginning on: _____, at 9:00, a.m., in Choose City: ,

Mississippi, before United States District Judge _____.

ANY CONFLICTS WITH THIS TRIAL DATE MUST BE SUBMITTED IN WRITING TO THE TRIAL JUDGE IMMEDIATELY UPON RECEIPT OF THIS CASE MANAGEMENT ORDER.

B. Pretrial. The pretrial conference is set on: _____, at 9:00, a.m.,

in Choose City: , Mississippi, before United States District

Judge_____.

C. Discovery. All discovery must be completed by: _____.

D. Amendments. Motions for joinder of parties or amendments to the pleadings must be

filed by: _____.

E. Experts. The parties' experts must be designated by the following dates:

1. Plaintiff(s): _____.

2. Defendant(s): _____.

8. MOTIONS. All dispositive motions and *Daubert*-type motions challenging another party's expert must be filed by:_____.The deadline for motions *in limine* is fourteen days before the pretrial conference; the deadline for responses is seven days before the pretrial conference.

9. SETTLEMENT CONFERENCE. Edit #9

No Setting at this time

10. REPORT REGARDING ADR. On or before (7 days before FPTC) _____, the parties must report to the undersigned all ADR efforts they have undertaken to comply with the Local Rules or provide sufficient facts to support a finding of just cause for failure to comply. *See L.U.Civ.R.83.7(f)(3).*

SO ORDERED:

_____ _____

DATE UNITED STATES MAGISTRATE JUDGE