

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Plaintiff(s),

vs

Case No:
Honorable Marianne O. Battani

Defendant(s),
_____ /

NOTICE RE Fed.R.Civ.P. 26(f) PLAN

Plaintiff in the above entitled case is directed to convene an in-person conference with all counsel within 21 days of receipt of this order for the purpose of preparing a joint proposed discovery plan in accordance with Fed.R.Civ.P. 26(f), as amended December 1, 2000. It is the responsibility of plaintiff to notify any counsel known that is not listed below.

The original and judge's copy of the Rule 26(f) plan must be filed with the Clerk of the Court within 14 days after the conference. A Scheduling Order will issue from the Court within seven days of receipt of the Discovery Plan. However, if no Plan is received, counsel will be required to appear for an in-person Rule 16 Scheduling Conference on _____. Proposed plans are to be brought to the conference.

Additionally, the parties may request a Rule 16 conference at any time by scheduling it directly with the Case Manager.

In addition to the requirements set forth in Rule 26(f), your proposed plan must address:

- The background of the action, and the principal factual and legal issues, including the nature of and basis for all claims and defenses;
- Proposed amendments to the pleadings;
- Areas which may require expert testimony;

- Whether counsel and clients will consent to state court mediation with costs and sanctions under the authority of LR 16.3. Counsel should complete and return the enclosed form if the parties consent to mediation;
- An appropriate management plan, including recommended cut-off dates for witness lists, discovery, dispositive motions, mediation and other miscellaneous dates to which the parties wish to be bound. The Court will consider these recommendations in determining an appropriate scheduling order. Generally 6 to 12 months from the date of filing are allowed for discovery depending on the nature of the case.

PARTIES ARE TO COMMENCE DISCOVERY IMMEDIATELY.

Parties should note that they are bound by Fed.R.Civ.P. 30(d)(2) concerning **depositions** and Fed.R.Civ.P. 33(a) **limiting the number of interrogatories**. Counsel are also advised to familiarize themselves with the requirements of Fed.R.Civ.P. 16 and 26 and Local Rules 16.1, 16.2, 16.3, 26.2 and 26.3.

Questions regarding the 26(f) Plan should be directed to the Case Manager at the number listed below.

Mary A. Peters, Case Manager
for Judge Marianne O. Battani
Ann Arbor, Michigan 48104
734-741-2488

Copies sent to: