

# Discovery

The Federal Rules of Civil Procedure are designed to make the discovery process party-driven. The court expects the parties and counsel to conduct discovery cooperatively and fairly. If it becomes necessary to file a motion related to discovery matters, counsel shall meet and confer in accordance with E.D. Mich. LR 37.1 in an attempt to resolve, or at least narrow, the disputed issues. The court encourages counsel to engage in a good-faith attempt to resolve all discovery matters before a motion is heard, and to submit a Stipulation and Order Resolving Motion.

## **A. Statement of Resolved and Unresolved Issues**

The parties and counsel are expected to continue to discuss resolution of their dispute after any discovery motion is filed. If the parties are unable to resolve their differences prior to oral argument, the moving party shall prepare a written statement of resolved and unresolved issues consisting of no more than five pages. The statement should certify that good faith efforts to resolve the matters in controversy have been undertaken and list the issues with respect to which an agreement has been reached as well as the issues yet to be resolved. This statement should be electronically filed at least 5 days prior to the hearing.

Failure to timely submit the statement may result in adjournment of the hearing or dismissal of the motion.

In the event that all disputed issues are resolved prior to the hearing, the moving party shall either withdraw the motion or submit a stipulation incorporating the agreement of the parties prior to the scheduled hearing date.