

Discovery

The Court has a standard pretrial or scheduling order that is entered in each case. The scheduling order requires that the parties exchange witness lists prior to the close of discovery. Upon request or on its own initiative, the Court will convene scheduling conferences. In routine cases, the Court allows 120 days from the date the Answer is filed as a discovery cutoff. The Court requires the disclosure of all witnesses, including experts, prior to the discovery cutoff. With respect to discovery motions, the Court strictly adheres to the requirements of [E.D. Mich. LR 37.1](#) concerning narrowing the areas of disagreement. Discovery motions are often referred to a Magistrate Judge, although the Court does not use a blanket referral order regarding all discovery motions. Generally, if disputes arise during a deposition, counsel may call the Court for resolution with the caveat that frivolous or abusive discovery tactics will be sanctioned pursuant to the Court's Scheduling Order. The discovery cutoff can be extended only on motion before the cutoff date and rarely after the cutoff date.

The Court adheres to the initial disclosure requirements of Fed.R.Civ.P. 26(a)(1). The Court has had occasion to strike an expert witness or limit an expert witness' trial testimony as a result of party's failure to provide a report, or to properly list an expert. The Court has not had occasion to impose any other type of sanction as a result of a party's failure to comply with Fed.R.Civ.P.26(a)(2). The Court has had occasion to strike a lay witness or limit a lay witness' trial testimony as a result of a party's failure to comply with Fed.R.Civ.P.26(a)(3). The Court has had occasion to strike interrogatories served by parties, that exceed the allotted number. The Court has had occasion to grant leave to a party to serve more than 25 interrogatories or exceed 10 depositions upon request and a showing of reasonableness.