

Discovery

Early discovery: The Court expects the parties to conduct early discovery by agreement although Rule 26(d) does not authorize court-sanctioned discovery prior to the initial attorney conference.

The scheduling order sets forth:

1. The time for filing witness lists (which are to be exchanged at least 30 days prior to the close of discovery); and
2. The discovery cutoff dates.

Discovery motions are sometimes referred to the Magistrate Judge. The Court expects counsel to resolve discovery matters themselves. If the Court is unnecessarily involved in a discovery dispute, costs will be assessed against the unsuccessful party. The Court adheres strictly to the requirements of [E.D. Mich. LR 37.1](#) concerning narrowing areas of disagreement and will hear no discovery motions unless the parties have conferred regarding their discovery disputes.

The Court will convene a conference for scheduling discovery under Fed.R.Civ.P. 26(f) upon informal request of the parties. Generally, the Court allows four to six months for discovery and requires, if possible, disclosure of all witnesses, including experts, one to two months prior to discovery cutoff. The Court has had occasion to strike interrogatories served by the parties that exceed the authorized number. The parties may stipulate to conducting more than 10 depositions.

Motions seeking amendment of the scheduling order or extension of discovery should not be combined with motions to compel or any other motions. Such motions must be filed separately.