Case Management and Scheduling Orders

A. **CIVIL CASES**

1. **SCHEDULING AND CASE MANAGEMENT CONFERENCE:**

   The Court routinely issues its Notice of Scheduling and Case Management Conference after the Answer is filed. If there is more than one named Defendant, the Court typically schedules the conference after all Defendants have filed Answers, unless to do so will cause significant delay. A notice generally will be sent within two to four weeks after a responsive pleading is filed. The parties are required to submit a Rule 26(f) plan and/or a Case Summary as described in the Notice no later than five business days before the initial scheduling conference. The parties' Rule 26 (f) plan must follow the format of the Court's Rule 16 Scheduling Order (Phase I). Accordingly, the parties are to use the template linked below when submitting a Rule 26(f) plan and must include hard dates for each deadline. Any Rule 26(f) plan containing vague timeframes rather than specific dates will be rejected and the parties will be asked to resubmit a plan that comports with these guidelines.

   If a dispositive motion is filed in lieu of an Answer, the Court generally will hold the initial scheduling conference after the motion is ruled upon. This may occur the same day as the motion hearing if the Judge rules from the bench.

   At the initial scheduling conference, the Court expects lead counsel to attend. The parties should be prepared to discuss the case and the issues, the Court's subject matter jurisdiction, the parties' interest in state court evaluation and/or facilitation, and any other standard procedural/scheduling issues. The Court expects counsel to discuss alternative dispute resolution (ADR) options with their clients in advance of the conference.

   The Court will refer cases to a Discovery Master when appropriate.

   Rule 26(f) Discovery Plan Template

   Notice of Scheduling Conference

   Civil Scheduling Order- Phase I

2. **SETTLEMENT CONFERENCE:** All parties must attend the settlement conference with the trial attorneys. Both counsel and clients must be prepared for serious settlement discussions. Insurance representatives with *full* settlement authority, and other persons necessary to the resolution of the case, must also attend. Sanctions will be imposed if the party with full settlement authority fails to appear. In non-jury cases, the Court will discuss whether private facilitation or a referral to the magistrate judge is appropriate. The parties must notify chambers in writing within one business day of the case settling by sending an email to the Case Manager. If a case does not resolve, the Case Manager will schedule the final pretrial conference and trial.
3. **FINAL PRETRIAL CONFERENCE:** Trial procedures and final pretrial matters are discussed with the Court at this conference. Motions *in limine* may also be heard at the conference in order to avoid delay on the first day of trial.
4. **STATUS CONFERENCE:** The Court may schedule a status conference to facilitate the administration of a case when necessary. Counsel may request a status conference at any

time during the litigation. These may be conducted by conference call upon request and should be scheduled through the Paralegal. The parties must confer with each other after proposed conference dates are provided by the Court and respond to the Paralegal only when a mutually agreed upon date has been chosen. Additional conferences with the Court, including settlement conferences, will be scheduled upon request.

5. **SPECIAL CASES:** Social Security appeals and *pro se* prisoner Civil Rights cases are generally referred to the magistrate judge for case management.

B. **CRIMINAL CASES**

1. **SCHEDULING:** The Court will issue a scheduling order. Requests to modify or enlarge the calendar dates shall be made by motion and must include a stipulation to extend time and a waiver under the Speedy Trial Act if they affect the trial date.
2. **FINAL PRETRIAL CONFERENCE:** A final pretrial conference is conducted by the Court. The final pretrial conference is generally held one to two weeks prior to the start of trial. Motions *in limine* may also be heard at the conference in order to avoid delay on the first day of trial.
3. **STATUS CONFERENCE:** The Court may schedule a status conference to facilitate the administration of a case when necessary. Counsel may request a status conference at any time during the proceedings. These may be conducted by conference call upon request and should be scheduled through the Case Manager. Additional conferences with the Court, including settlement conferences, will be scheduled upon request.

   Criminal Case Scheduling Order