

FILED  
U.S. DISTRICT COURT  
SAVANNAH DIV.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
SO. DIST. OF GA.

2009 FEB 20 PM 2:50

CV 416 - 044

CASE NO. \_\_\_\_\_

**GENERAL ORDER**

Federal Rule of Civil Procedure 26(f) requires the parties to confer, develop a proposed discovery plan, and submit a report to this Court. Subsequent to the filing of the report, a Scheduling Order must be entered pursuant to Fed. R. Civ. P. 16(b). Therefore, by the *earlier* of **21 days** after the filing of the last answer of the defendants named in the original complaint or **45 days** after the first appearance by answer or motion under Fed. R. Civ. P. 12 of a defendant named in the original complaint, the parties shall confer as provided in Rule 26(f). L.R. 26.1(a). Thereafter, within **14 days** after the required conference held pursuant to Rule 26(f), the parties shall submit to the Court a written report conforming to the language and format of the Rule 26(f) Report attached to this Order outlining their discovery plan. L.R. 26.1(b).

Except in unusually protracted or complex cases, the parties will be expected to adhere to the following deadlines and limitations:

1. The parties shall serve *all written discovery* on opposing parties and shall complete all depositions within **140 days** of the filing of the last answer of the defendants named in the original complaint. L.R. 26.1(d)(i).
2. The plaintiff must furnish the *expert witness reports and disclosures* required by Rule 26(a)(2) within **60 days** after the Rule 26(f) conference. L.R. 26.1(d)(ii).
3. The defendant must furnish the *expert witness reports and disclosures* required by Rule 26(a)(2) within **90 days** after the Rule 26(f) conference (or **60 days** after the last answer, whichever is later). L.R. 26.1(d)(iii).
4. The last day for *filing motions to add or join parties or amend the pleadings* is **60 days** after the first answer of the defendants named in the original complaint. L.R. 16.3.
5. The last day for *filing all other motions*, including *Daubert* motions but excluding motions in limine, is **30 days** after the close of discovery. L.R. 7.4.

Plaintiff's counsel shall ensure that a copy of this Order is served upon each party. Finally, a party who cannot gain the cooperation of the other party in preparing the Rule 26(f) report should advise the Court prior to the due date of the report of the other party's failure to cooperate.

**SO ORDERED.**

  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT of GEORGIA

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
\_\_\_\_\_ DIVISION**

	)	
	)	
Plaintiff	)	
	)	
v.	)	Case No.
	)	
	)	
Defendant	)	

**RULE 26(f) REPORT**

1. Date of Rule 26(f) conference: \_\_\_\_\_

2. Parties or counsel who participated in conference:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If any defendant has yet to be served, please identify the defendant and state when service is expected.  
\_\_\_\_\_

4. Date the Rule 26(a)(1) disclosures were made or will be made:  
\_\_\_\_\_

5. If any party objects to making the initial disclosures required by Rule 26(a)(1) or proposes changes to the timing or form of those disclosures,

(a) Identify the party or parties making the objection or proposal:

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(b) Specify the objection or proposal:

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6. The Local Rules provide a 140-day period for discovery. If any party is requesting additional time for discovery,

(a) Identify the party or parties requesting additional time:

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(b) State the number of months the parties are requesting for discovery:

\_\_\_\_\_ months

(c) Identify the reason(s) for requesting additional time for discovery:

\_\_\_ Unusually large number of parties

\_\_\_ Unusually large number of claims or defenses

\_\_\_ Unusually large number of witnesses

\_\_\_ Exceptionally complex factual issues

\_\_\_ Need for discovery outside the United States

\_\_\_\_\_ Other: \_\_\_\_\_

- (d) Please provide a brief statement in support of each of the reasons identified above:

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7. If any party is requesting that discovery be limited to particular issues or conducted in phases, please

- (a) Identify the party or parties requesting such limits:

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- (b) State the nature of any proposed limits:

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8. The Local Rules provide, and the Court generally imposes, the following deadlines:

Last day for filing motions to add or join parties or amend pleadings

60 days after issue is joined

Last day to furnish expert witness reports and disclosures by plaintiff

60 days after Rule26(f) conference

Last day to furnish expert witness reports and disclosures by defendant 90 days after Rule 26(f) conference (or 60 days after the answer, whichever is later)

Last day to file motions 30 days after close of discovery

If any party requests a modification of any of these deadlines,

(a) Identify the party or parties requesting the modification:

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(b) State which deadline should be modified and the reason supporting the request:

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9. If the case involves electronic discovery,

(a) State whether the parties have reached an agreement regarding the preservation, disclosure, or discovery of electronically stored information, and if the parties prefer to have their agreement memorialized in the scheduling order, briefly describe the terms of their agreement:

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(b) Identify any issues regarding electronically stored information as to which the parties have been unable to reach

an agreement:

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10. If the case is known to involve claims of privilege or protection of trial preparation material,

(a) State whether the parties have reached an agreement regarding the procedures for asserting claims of privilege or protection after production of either electronic or other discovery material:

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(b) Briefly describe the terms of any agreement the parties wish to have memorialized in the scheduling order (or attach any separate proposed order which the parties are requesting the Court to enter addressing such matters):

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(c) Identify any issues regarding claims of privilege or protection as to which the parties have been unable to reach an agreement:

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11. State any other matters the Court should include in its scheduling order:

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12. The parties certify by their signatures below that they have discussed the nature and basis of their claims and defenses and the possibilities for prompt settlement or resolution of the case. Please state any specific problems that have created a hindrance to the settlement of the case:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signed: \_\_\_\_\_  
*Attorney for Plaintiff*

\_\_\_\_\_  
*Attorney for Defendant*