Georgia Advocacy Office, Inc. v. Assurance Consulting, LLC et al Doc. 3

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF GEORGIA

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 **60 days** after any defendant has been served with the complaint or **45 days** after any defendant has appeared, the parties shall confer as provided in Rule 26(f). See L.R. 26.1(a). 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. L.R. 26.1(b); *see* Appendix of Forms to Local Rules.

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

Dockets.Justia.com

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)(3) 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:

   _____

   _____

   _____

   (b) Specify the objection or proposal:

_____

_____

_____

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:

_____

_____

_____

(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:

_____

_____

_____

_____

_____

_____

_____

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:

   _____

   _____

   _____

   (b) State the nature of any proposed limits:

   _____

   _____

   _____

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 report by plaintiff	60 days after Rule26(f) conference
Last day to furnish expert witness report by a 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:

_____

_____

_____

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

_____

_____

_____

_____

_____

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 memoralized in the scheduling order, briefly describe the terms of their agreement:

_____

_____

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

_____

_____

_____

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:

    _____

    _____

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

    _____

    _____

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

    _____

    _____

    _____

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

    _____

    _____

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