

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
EASTERN DIVISION**

**REGINA M. LUDOVISSY,**

**Plaintiff,**

**vs.**

**DEERE & COMPANY, JOHN  
DEERE DUBUQUE WORKS,**

**Defendants.**

**No. C09-1023**

**ORDER REGARDING  
SCHEDULING**

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This matter comes before the Court on the Motion for Telephonic Scheduling Conference (docket number 5) filed by the Defendants on June 19, 2009. Noting that Plaintiff is acting *pro se*, Defendants assert that “a scheduling and planning conference with the Court would provide the parties an orderly and manageable way to reach agreement on a scheduling order and discovery plan in this action.” Plaintiff has not responded to the motion, although the time for doing so has not expired.

The Local Rules require the parties to submit a proposed scheduling order and discovery plan within 120 days after the filing of the complaint.

Within 120 days after the filing of the complaint, all attorneys of record and all unrepresented parties must submit to the Clerk of Court for approval by a magistrate judge a proposed Rule 16(b) and 26(f) scheduling order and discovery plan.

The parties must confer to complete the proposed scheduling order and discovery plan as soon as practicable, but at least 14 days before the proposed scheduling order and discovery plan is due.

Local Rule 16.a.

This action was initiated on May 15, 2009 with the filing of a Petition at Law in the Iowa District Court for Dubuque County. The action was removed to the United States District Court for the Northern District of Iowa on June 11, 2009. Accordingly, a proposed scheduling order and discovery plan is due not later than October 9, 2009.

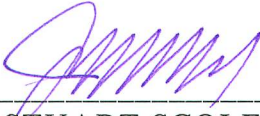
“The attorneys of record and all unrepresented parties who have appeared in the case are jointly responsible for preparing a proposed scheduling order and discovery plan.” Local Rule 16.b. “The failure to submit timely a proposed scheduling order and discovery plan may result in dismissal of the case.” Local Rule 16.c.

Rather than setting a Court-led scheduling conference at this time, the Court finds the parties must first confer and attempt to reach agreement regarding the applicable pretrial deadlines. The parties are reminded that “[t]he proposed scheduling order and discovery plan must be prepared using the form supplied by the Clerk of Court, and must contain all of the information requested in the form.” *See* Local Rule 16.b. The form may be downloaded from the court’s website or obtained from the Clerk of Court. If for any reason the parties are unable to reach agreement regarding the proposed pretrial deadlines, then Defendants may renew their motion after certifying a good faith attempt to reach agreement in this regard.

### ORDER

IT IS THEREFORE ORDERED that the Motion for Telephonic Scheduling Conference (docket number 5) filed by Defendants on June 19, 2009 is hereby **DENIED WITHOUT PREJUDICE**.

DATED this 1st day of July, 2009.

  
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JON STUART SCOLES  
UNITED STATES MAGISTRATE JUDGE  
NORTHERN DISTRICT OF IOWA