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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

_____,
Plaintiff,
vs.
_____,
Defendant.

No. _____-PHX-DGC

CASE MANAGEMENT ORDER

On _____, a Case Management Conference was held pursuant to Rule 16(b) of the Federal Rules of Civil Procedure. The parties met before the conference in accordance with Rule 26(f) and prepared a Case Management Report. On the basis of the Case Management Conference and the Case Management Report,

IT IS HEREBY ORDERED:

1. Deadline for Initial Disclosures. Initial disclosures required by Federal Rule of Civil Procedure 26(a), if not already exchanged, shall be exchanged no later than _____. The parties shall file with the Clerk a Notice of Initial Disclosure, rather than copies of the actual disclosures.
2. Deadline for Joining Parties and Amending Pleadings. The deadline for joining parties and amending pleadings is 90 days from the date of this Order. Motions to join parties or for leave to amend pleadings shall be filed within 30 days of this Order so they can be heard and decided prior to the deadline.

1 3. Discovery Limitations. Depositions in this case shall be limited to seven hours
2 each as provided in Rule 30(d)(2) of the Federal Rules of Civil Procedure. The number of
3 depositions and interrogatories shall be as limited in Rule 2.12, Rules of Practice of the
4 United States District Court for the District of Arizona (“Local Rules”). Each side may also
5 propound up to 40 requests for production of documents, including subparts, and up to 40
6 requests for admissions, including subparts. The limitations set forth in this paragraph may
7 be increased by mutual agreement of the parties, but such an increase will not result in an
8 extension of the discovery deadlines set forth below.

9 4. Deadline for Completion of Fact Discovery. The deadline for completing fact
10 discovery shall be _____. To ensure compliance with this
11 deadline, the following rules shall apply:

12 a. Depositions: All depositions shall be scheduled to commence at least
13 five working days prior to the discovery deadline. A deposition commenced five days prior
14 to the deadline may continue up until the deadline, as necessary.

15 b. Written Discovery: All interrogatories, requests for production of
16 documents, and requests for admissions shall be served at least 45 days before the discovery
17 deadline.

18 c. Notwithstanding Local Rule 2.7(c), the parties may mutually agree,
19 without Court approval, to extend the time provided for discovery responses in Rules 33, 34,
20 and 36 of the Federal Rules of Civil Procedure. Such agreed-upon extensions, however, shall
21 not alter or extend the discovery deadlines set forth in this Order.

22 5. Deadlines for Disclosure of Experts and Completion of Expert Discovery.

23 a. The Plaintiff(s) shall provide full and complete expert disclosures as
24 required by Rule 26(a)(2)(A)-(C) of the Federal Rules of Civil Procedure no later than
25 _____.

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1 b. The Defendant(s) shall provide full and complete expert disclosures as
2 required by Rule 26(a)(2)(A)-(C) of the Federal Rules of Civil Procedure no later than
3 _____.

4 c. Rebuttal expert disclosures, if any, shall be made no later than
5 _____ . Rebuttal experts shall be limited to responding to opinions
6 stated by initial experts.

7 d. Expert depositions shall be completed no later than
8 _____ . As with fact witness depositions, expert depositions shall be
9 scheduled to commence at least five working days before the deadline.

10 6. Discovery Disputes.

11 a. The parties shall not file written discovery motions without leave of
12 Court.¹ If a discovery dispute arises, the parties promptly shall contact the Court to request
13 a telephone conference concerning the dispute. The Court will seek to resolve the dispute
14 during the telephone conference, and may enter appropriate orders on the basis of the
15 telephone conference. The Court may order written briefing if it does not resolve the dispute
16 during the telephone conference.

17 b. Parties shall not contact the Court concerning a discovery dispute
18 without first seeking to resolve the matter through personal consultation and sincere effort
19 as required by Local Rule 1.10(j). Any briefing ordered by the Court shall also comply with
20 Local Rule 1.10(j).

21 c. Absent extraordinary circumstances, the Court will not entertain fact
22 discovery disputes after the deadline for completion of fact discovery, and will not entertain
23 expert discovery disputes after the deadline for completion of expert discovery.

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27 ¹ The prohibition on “written discovery motions” includes any written materials
28 delivered or faxed to the Court, including hand-delivered “correspondence” with
attachments.

1 7. Deadline for Filing Dispositive Motions.

2 a. Dispositive motions shall be filed no later than _____.
3 Such motions must comply in all respects with the Federal Rules of Civil Procedure and the
4 Local Rules.

5 b. No party shall file more than one motion for summary judgment under
6 Rule 56 of the Federal Rules of Civil Procedure unless permission is first obtained, by joint
7 telephone call, from the Court.

8 c. Failure to respond to a motion within the time periods provided in Local
9 Rule 1.10 will be deemed a consent to the denial or granting of the motion and the Court may
10 dispose of the motion summarily pursuant to Local Rule 1.10(i).

11 d. Notwithstanding Local Rule 1.10(f)(1), the parties shall not notice oral
12 argument on any motion. Instead, a party desiring oral argument shall place the words "Oral
13 Argument Requested" immediately below the title of the motion pursuant to Local Rule
14 1.10(f)(2). The Court will issue a Minute Entry Order scheduling oral argument as it deems
15 appropriate.

16 8. Deadline for Engaging in Good Faith Settlement Talks. All parties and their
17 counsel shall meet in person and engage in good faith settlement talks no later than
18 _____. Upon completion of such settlement talks, and in no event later than
19 five working days after the deadline set forth in the preceding sentence, the parties shall file
20 with the Court a joint Report on Settlement Talks executed by or on behalf of all counsel.
21 The Report shall inform the Court that good faith settlement talks have been held and shall
22 report on the outcome of such talks. The parties shall indicate whether assistance from the
23 Court is needed in seeking settlement of the case. The parties shall promptly notify the Court
24 at any time when settlement is reached during the course of this litigation.

25 9. Deadline for Notice of Readiness for Pretrial Conference. The Plaintiff(s) shall
26 notify the Court that the parties are ready for scheduling of a Final Pretrial Conference
27 pursuant to Rule 16(d) of the Federal Rules of Civil Procedure. The Plaintiff(s) shall file and
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1 serve this notice within ten days of the dispositive motion deadline if no dispositive motions
2 are pending on that date. If dispositive motions are pending, Plaintiff(s) shall file and serve
3 such notice within ten days after the resolution of dispositive motions. The Court will then
4 issue an Order Setting Final Pretrial Conference that (a) sets deadlines for briefing motions
5 in limine, (b) includes a form for the completion of the parties' joint proposed Final Pretrial
6 Order, and (c) otherwise instructs the parties concerning their duties in preparing for the
7 Final Pretrial Conference. A firm trial date will be set at the Final Pretrial Conference.

8 10. The Deadlines Are Real. The parties are advised that the Court intends to
9 enforce the deadlines set forth in this Order, and should plan their litigation activities
10 accordingly.

11 DATED this ____ day of _____, 200__.

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David G. Campbell
United States District Judge