

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA**  
Choose an item. **DIVISION**

Plaintiff(s), )  
)  
Choose an item., )  
)  
v. ) Case No.: Case Number.  
)  
Defendant(s), )  
)  
Choose an item.. )

**SCHEDULING ORDER**

This order is entered under Federal Rule of Civil Procedure 16(b) based on the parties' report of a planning meeting. Doc. \_\_. This order governs further proceedings in this action unless modified for good cause shown.

- 1. Pleadings and Parties:** No causes of action, defenses, or parties may be added after [Click here to enter a date.](#) as to plaintiff(s) and [Click here to enter a date.](#) as to defendant(s). Unless the party's pleading may be amended as a matter of course pursuant to Federal Rule of Civil Procedure 15(a), the party must file a motion for leave to amend. Such motion for leave to amend shall state, specifically, those matters the party wishes to add or delete and shall contain, attached as an exhibit, the complete and executed amended pleading, which is suitable for filing. The motion for leave to amend, with the attached amended pleading, shall be served in accordance with Federal Rule of Civil Procedure 5.
- 2. Dispositive Motions:** All potentially dispositive motions and evidentiary submissions upon which a party will rely in support of the motion must be filed no later than [Click here to enter a date.](#) (approximately 6 weeks after close of discovery).<sup>1</sup>
- 3. Discovery Limitations and Deadlines:**
  - a. Depositions:** Maximum of \_\_ by each party. Each deposition is limited to a maximum of 7 hours.
  - Interrogatories:** Maximum of \_\_ by any party directed to any other party.

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<sup>1</sup> The parties are directed to review the Initial Order entered in this action for specific briefing submission requirements for dispositive motions.

**Requests for Production:** Maximum of \_\_\_ by any party directed to any other party

**Requests for Admission:** Maximum of \_\_\_ by any party directed to any other party.

- b. **Expert Testimony:** Unless modified by stipulation of the parties, the disclosures of expert witnesses—including a complete report under Federal Rule of Civil Procedure 26(a)(2)(B) from any specially retained or employed expert—are due:

From plaintiff(s): by [Click here to enter a date.](#)

From defendant(s): by [Click here to enter a date.](#)

- c. **Supplementation:** Supplementation of disclosures and discovery under Federal Rule of Civil Procedure 26(e) is due within a reasonable period of time after discovery of such information, but all such supplementation shall be provided **no later than fourteen (14) days before** the close of discovery.

- d. **Deadline:** All discovery must be commenced in time to be completed by [Click here to enter a date.](#)

**The parties are reminded that, before moving for an order relating to discovery, the movant must request a conference with the court.**

- e. **Privileged Material:** Pursuant to Federal Rule of Evidence 502(b) and (d), the inadvertent disclosure of any privileged communication, information, document, or ESI shall not operate as a waiver of the privilege in this or any other proceeding to the extent the producing party complies with the requirements of Federal Rule of Evidence 502(b) and Federal Rule of Civil Procedure 26(b)(5)(B).<sup>2</sup>

4. **Status Conferences, and Settlement Conference:** This case is **SET** for a **Telephone Status Conference** on [Click here to enter a date.](#) (approximately 6 months from now). The parties should anticipate routine telephone status conferences every six (6) months thereafter.

In addition, the parties shall conduct an in-person **Settlement Conference** no later than [Click here to enter a date.](#) (30 days before the close of discovery). Within five (5) days of this settlement conference, counsel shall separately and confidentially send an email to chambers at [danella\\_chambers@alnd.uscourts.gov](mailto:danella_chambers@alnd.uscourts.gov), stating only whether a settlement was reached and, if not, whether the parties are amenable to **mediation**.

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<sup>2</sup> This provision is superseded by any agreement that the parties reach for asserting claims of privilege or of protection as trial-preparation material after information is produced, including agreements reached under Federal Rule of Evidence 502, where the parties have submitted a proposed order to that effect and the court has entered that order.

If the parties are amenable and the court refers them to **mediation**, the parties must submit, within a week of the completion of mediation, a joint status report informing the court whether mediation was successful. If mediation is not successful, the court will set a Status Conference by separate order.

If the parties do not reach a settlement at their Settlement Conference, and are *not* amenable to **mediation**, the court will set the case for a Status Conference approximately two (2) weeks after receiving the parties' email correspondence regarding their in-person settlement conference.

**Additional conferences, including a Pretrial Conference, will be scheduled as needed by separate order.**

5. **Final Lists (Trial):** At the Pretrial Conference, the court will establish deadlines for the exchange and filing of lists of trial witnesses, exhibits, and objections under Federal Rule of Civil Procedure 26(a)(3), as well as the deadlines and limits for motions in limine.
6. **Trial:** The parties shall be ready for trial by [Click here to enter a date.](#), to be scheduled by separate order.
7. **Notice of Settlement:** The parties must notify the court within two (2) business days of reaching any settlement.
8. **Other Agreements Incorporated:** The report of parties (Doc. \_\_) may memorialize agreements not reflected here. This order incorporates any such agreements to the extent they do not conflict with the express terms of this order or any other order entered by the court.