

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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_____ ,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Civ. No. <u>xx-xxxx-xx/P</u>
	)	
_____ ,	)	
	)	
Defendant.	)	
	)	

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**MODEL SCHEDULING ORDER**

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Pursuant to written notice, a scheduling conference was held on [date]. Present were \_\_\_\_\_, counsel for plaintiff, and \_\_\_\_\_, counsel for defendant. At the conference, the following dates were established as the final deadlines for:

**INITIAL DISCLOSURES PURSUANT TO FED. R. CIV. P. 26(a)(1):** If not made before the Rule 16(b) conference, then 14 days after the Rule 16(b) conference.

**MOTIONS TO JOIN PARTIES:** filed within 2 months after conference

**MOTIONS TO AMEND PLEADINGS:** filed within 2 months after conference

**INITIAL MOTIONS TO DISMISS:** filed within 3 months after conference

**COMPLETING ALL DISCOVERY:** within 6 to 8 months after conference

(a) **DOCUMENT PRODUCTION:** (Same as discovery deadline or at intervals during the discovery period)

(b) **DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS:** (Same as discovery deadline or at intervals during the discovery period)

(c) **EXPERT WITNESS DISCLOSURES (Rule 26):**

(1) **DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT**

**INFORMATION:** 2 months before close of discovery

**(2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT**

**INFORMATION:** 1 month before close of discovery

**(3) EXPERT WITNESS DEPOSITIONS:** by discovery deadline

**FILING DISPOSITIVE MOTIONS:** within 1 month of close of discovery

**OTHER RELEVANT MATTERS:**

Pursuant to agreement of the parties, if privileged or protected information is inadvertently produced, the producing party may, by timely notice, assert the privilege or protection and obtain the return of the materials without waiver.

No depositions may be scheduled to occur after the discovery deadline. All discovery requests that require a response must be filed and served sufficiently in advance of the discovery deadline to enable the opposing party to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery must be filed and served by the discovery deadline. Absent good cause shown, if a party fails to timely file and serve a motion to compel, that party's objections to the responding party's default, responses, answers, or objections to the discovery requests shall be deemed waived.

This case is set for a [jury] [non-jury] trial. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge. The parties anticipate the trial will last approximately \_\_\_\_ days.

The parties agree that this case is appropriate for ADR. The parties are ordered to engage in mediation before the close of discovery.

Pursuant to Local Rule 7.2(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order in a word processing format sent to the ECF mailbox of the presiding judge.

Pursuant to Local Rule 7.2(a)(1)(B), the parties are required to consult prior to filing any motion (except motions filed pursuant to Fed. R. Civ. P. 12, 56, 59, and 60).

The opposing party must file a response to any opposed motion. Pursuant to Local Rule 7.2(a)(2), a party's failure to respond timely to any motion, other than one requesting dismissal of a

claim or action, may be deemed good grounds for granting the motion.

Neither party may file an additional reply to any motion, other than a motion for summary judgment, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required. Pursuant to Fed. R. Civ. P. 56(c)(1)(C), a party moving for summary judgment may file a reply within 14 days after being served with the response in opposition to the motion.

The parties [do] [do not] consent to trial before the Magistrate Judge.

***This order has been entered after consultation with the parties. Absent good cause shown, the deadlines set by this order will not be modified or extended.***

IT IS SO ORDERED.

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TU M. PHAM  
United States Magistrate Judge

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Date