

LR 16.2 JOINT PRELIMINARY REPORT AND DISCOVERY PLAN

For all cases not settled at the Rule 26(f) conference, counsel ~~are required to~~must complete the Joint Preliminary Report and Discovery Plan form ~~prepared by the Court and~~ attached to these rules as Appendix B. *See* Fed. R. Civ. P. 26(f). If counsel cannot agree on the answers to specific items, the contentions of each party must be shown on the form. The completed form must be filed within thirty days after the appearance of the first defendant by answer or motion or within thirty days after a removed case is filed in this Court. This rule applies only to cases not exempted pursuant to Fed. R. Civ. P. 26(a)(1)(B). *Pro se* litigants and opposing counsel ~~shall be~~are permitted to file separate statements.

~~The Joint Preliminary Report and Discovery Plan shall include as referenced on the form:~~

~~—— (1) — A classification of the type of action, a brief factual outline of the case, a succinct statement of the issues in the case, and a listing of any pending or previously adjudicated related cases.~~

~~(2) — An indication of whether the case is complex because of the existence of one or more of the following features:~~

- ~~—— (1) — Unusually large number of parties~~
- ~~—— (2) — Unusually large number of claims or defenses~~
- ~~—— (3) — Factual issues are exceptionally complex~~
- ~~—— (4) — Greater than normal volume of evidence~~
- ~~—— (5) — Extended discovery period is needed~~
- ~~—— (6) — Problems locating or preserving evidence~~
- ~~—— (7) — Pending parallel investigations or action by government~~
- ~~—— (8) — Multiple use of experts~~
- ~~—— (9) — Need for discovery outside United States boundaries~~
- ~~—— (10) — Existence of highly technical issues and proof~~
- ~~—— (11) — Unusually complex discovery of electronically stored information~~

~~(3) — The individual names of lead counsel for each party.~~

~~—— (4) — Any objections, supported by authority, to this Court's jurisdiction.~~

~~—— (5) — The names of necessary parties to this action who have not been joined and any questions of misjoinder of parties and inaccuracies and omissions regarding the names of parties.~~

~~—— (6) — A description of any amendments to the pleadings that are anticipated and a time table for the filing of amendments.~~

~~—— (7) — Information regarding timing limitations for filing motions in the case.~~

~~—— (8) — Objections to initial disclosures, and space for the attorneys to indicate which party has objections, and the bases therefor.~~

~~—— (9) — Request for scheduling conference with the Court, if any, stating the issues that could be addressed and the position of each party.~~

~~—— (10) — Directions regarding the length of the discovery period and subjects of discovery and space for the attorney to indicate reasons, if any, why additional discovery time is needed and the subjects of discovery.~~

~~—— (11) — Discovery Limitations~~

~~(a) — Proposals and reasons in support thereof for modifying the limitations on discovery under the Federal Rules of Civil Procedure or the Local Rules of this Court.~~

~~(b) — Issues and agreements between the parties regarding discovery of electronically stored information.~~

~~(12) — Requests for additional orders from the Court.~~

~~—— (13) — A report regarding the settlement discussions required by LR 16.1, including the date; the name(s) of the lead counsel and other persons who attended; the likelihood of settlement of the case following the conference; dates for future settlement conferences between counsel; and specific problems hindering settlement of the case.~~

~~—— (14) — A statement as to whether the parties are willing to consent to trial before a magistrate judge. Consenting parties must complete and file with the clerk the~~

~~Consent to Jurisdiction by a United States Magistrate Judge form provided to all parties in the pretrial instruction packet.~~

~~————(15)—— The signatures of lead counsel for each party consenting to the submission of the Joint Preliminary Report and Discovery Plan form.~~

~~————(16)—— A scheduling order to be signed by the district judge imposing time limits for adding parties, amending the pleadings, filing motions, completing discovery, and, if appropriate, addressing settlement initiatives and referral of the case to trial before a magistrate judge, in accordance with the form submitted by counsel, except as the district judge may specifically state otherwise.~~