

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**MAGISTRATE JUDGE'S SCHEDULING ORDER FOR CASES ASSIGNED
TO JUDGE BLY**

1. Contacting Chambers

Courtroom deputy clerk James Jarvis is your principal point of contact for administrative matters relating to this case. Neither the parties nor their counsel should discuss the merits of the case with Mr. Jarvis or with any of the Court's law clerks. Mr. Jarvis can be reached by email at James_Jarvis@gand.uscourts.gov or by phone at (404) 215-1330.

2. Courtesy Copies for Chambers

Except for emergency motions filed under LR 7.2(B), NDGa, or a specific request from the Court, the parties need not provide Chambers with an additional paper copy of any filing. The Court automatically receives an electronic copy of all filed materials, and that electronic copy is sufficient absent a specific request.

3. Discovery

The Court encourages the parties to communicate with one another to facilitate discovery and resolve discovery disputes. Counsel or *pro se* litigants are

required to confer, by telephone or in person, in good faith before bringing a discovery dispute to the Court. *See* Fed. R. Civ. P. 26(c) and 37; LR 37.1(A), NDGa. The duty to confer is not satisfied by sending a written document, such as a letter or email, to the adversary, unless repeated attempts to confer by telephone or in person are unsuccessful due to the conduct of the adversary.

The filing of discovery-related motions against a party to the litigation (except for unopposed, consent, or joint motions) is prohibited. This prohibition includes motions for discovery-related sanctions. Instead, please email Mr. Jarvis a statement outlining your position and request a conference with the Court. All parties must be copied on such emails. The statement should not exceed 3 pages, as its purpose is simply to appraise me of the issue(s). It is not intended as a substitute for full briefing. You may attach to your email particularly pertinent exhibits, such as an excerpt of the discovery requests and the responses or objections in dispute. But voluminous exhibits are almost never necessary. After receiving such an email, Mr. Jarvis will respond to set up a conference with the Court. The opposing party may email a responding statement, subject to the same limitations, no later than 24 hours before a scheduled conference or as otherwise directed. You should assume that the emailed statements will be attached as

exhibits to the minute order memorializing the conference. The conference will be conducted by video, and it will be recorded. During the conference, I will try to resolve the dispute without the necessity of formal briefing, if practicable.

If a dispute between a party and a non-party arises (such as, for example, a disagreement regarding a third-party subpoena), the party must promptly inform the non-party of this discovery-dispute policy. In raising the discovery dispute with the Court, both the party and the non-party must follow the same procedure detailed above. If a non-party fails to provide any response at all to a properly served subpoena, the party issuing the subpoena must file a formal motion seeking relief and alert Mr. Jarvis to the filing via email so that the motion can receive prompt attention.

4. Requests for Protective Orders and/or Motions to Seal

The Court will not sign a protective or confidentiality order that permits the parties to automatically file pleadings or materials under seal with the Clerk. As a general matter, the Court will seal only those items enumerated in the Court's Standing Order 04-02 regarding sensitive information and public access to electronic case files. A party seeking to file a document under seal must follow the rules and procedures set forth in Appendix H to the Local Rules. Detailed

procedures for electronic filing under seal in civil cases are available at <http://www.gand.uscourts.gov/cv-sealed-procedures>.

5. Non-Dispositive Motions

Prior to filing any non-dispositive motion, a party must contact the non-moving party or parties to determine whether any party opposes the motion. The moving party must then state in the motion whether the non-moving party or parties opposes the motion and, if so, the grounds the non-moving party states for the opposition. No motion will be granted that does not include such a statement of the non-moving party's position or a statement that the moving party has attempted in good faith to obtain the non-moving party's position but has been unable to do so.

6. Settlement

The Court offers the services of its Magistrate Judges to mediate cases, at no cost, upon request. Should the parties agree at any point in the case that settlement discussions are likely to benefit from such mediation, they should file a joint motion asking the Court to stay all deadlines and to refer the case to mediation.

7. Consolidated Pretrial Order

Pursuant to Local Rule 16.4, the parties must file a proposed pretrial order no later than 30 days after the close of discovery, or entry of the court's ruling on

any motions for summary judgment, whichever is later. *See* LR 16.4, NDGa. The Court extends the deadline for filing a proposed consolidated pretrial order until 40 days after the close of the discovery period, or, in the event that any party files a motion for summary judgment, until 30 days after the Court's final ruling on all pending motions for summary judgment, whichever is later.