

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

: x
: :
_____, :
: :
Plaintiff(s), :
: :
v. : Case No.: _____
: :
_____, :
: :
Defendant(s). :
_____ x

PROPOSED DISCOVERY PLAN AND SCHEDULING ORDER

1. Date for completion of automatic disclosures required by Fed. R. Civ. P. 26(a)(1): _____ (*before the initial conference, absent good cause*)
2. No additional parties may be joined after: _____
3. No amendment of the pleadings will be permitted after: _____
4. Fact discovery shall be completed by: _____
(*generally 4–6 months after the initial conference*)
5. The parties shall make required Rule 26(a)(2) disclosures, if any, for:
 - (a) expert witnesses on or before _____
 - (b) rebuttal expert witnesses on or before _____
6. All discovery, including expert dispositions, shall be completed by:
_____ (*presumptively 30 days after rebuttal expert disclosures and generally no more than 9 months after the initial conference*)

7. The deadline to take the first step in dispositive motion practice shall be:
_____ (*presumptively 30 days after the close of all discovery*)
 8. Have the parties discussed the production of electronically stored information (ESI) and agreed on an ESI protocol? _____ (*yes, no, n/a*)
 9. Have the parties executed releases for medical or other records subject to discovery? _____ (*yes, no, n/a*)
 10. At what point (*e.g.*, as soon as possible, after document discovery, after party depositions, at the close of fact discovery) should the Court hold a settlement conference?
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Check if the parties wish to be referred to the EDNY's Court-annexed mediation program pursuant to Local Civil Rule 83.8 at this time.

Check if all parties consent to the jurisdiction of U.S. Magistrate Judge Clay H. Kaminsky pursuant to 28 U.S.C. § 636(c) at this time.

The scheduling order, once entered at the initial conference, may be altered or amended only upon a showing of good cause not foreseeable as of the date thereof.

PROPOSED BY:

Counsel for Plaintiff(s)

Counsel for Defendant(s)