

SAMPLE FORM ONLY

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|------------|---|--------------|
| | : | |
| | : | CIVIL ACTION |
| Plaintiff, | : | |
| | : | |
| v. | : | |
| | : | |
| | : | No. |
| Defendant. | : | |

SCHEDULING ORDER

AND NOW, this day of , , following a pretrial conference with counsel, and pursuant to Federal Rule of Civil Procedure 16, it is hereby **ORDERED** as follows:

1. The parties shall strictly comply with all deadlines recited herein. In the event a deadline cannot be reached, the parties are directed to **timely notify the Court *in advance of the deadline by filing a letter on the docket***, which explains why the deadline cannot be honored, whether counsel have met and conferred as to the outstanding issue, and a proposed new deadline. The failure to do so may result in appropriate sanctions including, but not limited to, the forfeiture of claims and/or waiver of defenses. As it concerns discovery specific issues, the Court expects the Parties to engage in discovery promptly and diligently without delay. Although counsel may, independent of Court involvement, agree to extend the deadline to complete discovery in this case, the Court will not entertain any future requests for an extension of the deadlines to file dispositive motions and the trial deadlines, as set forth in this Order.

2. Counsel shall advise chambers via email (PAED_Carlos_Chambers@paed.uscourts.gov) as to whether their client consent to impaneling eight jurors in this matter, no later than _____ .

3. In the event the parties are interested in a settlement conference, they shall jointly contact Judge _____ chambers no later than _____ , to schedule the conference for a date that is convenient for Judge _____ .¹

4. Fact discovery shall be completed no later than _____ . All discovery motions shall be filed and served prior to the close of the discovery period.

5. Affirmative expert reports, if any, are due by _____ .

6. Rebuttal expert reports, if any, are due by _____ .

7. Expert depositions, if any, shall be concluded no later than _____ .

8. Motions for summary judgment and/or *Daubert* motions, if any, shall be filed by _____ . Responses shall be filed no later than _____ . It is imperative that *Daubert* motions be filed by this deadline so that the Court may determine whether a hearing as to any issues raised via the motion can be addressed in a timely manner.

9. Any party expecting to offer opinion testimony from lay witnesses pursuant to Federal Rule of Evidence 701 with respect to the issues of liability and damages shall, at the time required for submission of information and/or reports for expert witnesses on liability and damages set forth in the preceding paragraphs, serve opposing parties with concise details and/or documents covering the lay opinions of the Rule 701 witnesses, including the identity of each witness offering the expert opinion, the substance of each opinion, and the basis for each opinion.

¹ If the parties determine a settlement conference is not necessary, they shall contact Judge _____ chambers informing them of the decision as a courtesy.

10. Counsel for each party shall serve upon counsel for every other party a copy of each exhibit the party expects to offer at trial no later than _____ .

11. Each party shall file a pretrial memorandum no later than _____. The pretrial memorandum should be prepared in accordance with the provisions of the Local Rule of Civil Procedure 16.1 and should also include the following items:

a. All stipulations of counsel.

b. A statement of objection to: (1) the admissibility of any exhibit based on authenticity; (2) the admissibility of any evidence expected to be offered for any reason (except relevancy); (3) the adequacy of the qualifications of an expert witness expected to testify; and (4) the admissibility of any opinion testimony from lay witnesses pursuant to Federal Rule of Evidence 701. Such objection shall describe with particularity the ground and the authority for the objection.

c. Deposition testimony (including videotaped deposition testimony) that the party intends to offer during its case-in-chief. The statement should include citations to the page and line number and the opposing party's counter-designations.

d. A statement of any anticipated important legal issues on which the Court will be required to rule, together with counsel's single best authority on each such issue.

12. All motions *in limine* shall be filed no later than _____. Each party may file no more than five (5) motions *in limine* without prior leave of Court. The Court will not entertain *Daubert* motions that are styled as "motions *in limine*." All such motions should be filed by the deadline set forth in paragraph 8 above.

13. Responses to properly filed motions *in limine*, if any, shall be filed no later than _____ .

14. No later than, _____, the parties shall file *jointly* proposed jury instructions on substantive issues and proposed verdict forms or special interrogatories to the jury. The parties shall also email an editable, Word version of the instructions and verdict forms to Chambers at PAED_Carlos_Chambers@paed.uscourts.gov. In this regard, counsel shall meet and confer and *jointly* file proposed instructions and verdict forms that explicitly note areas of agreement, as well as any objections. While the undersigned prefers use of the Third Circuit Model Jury Instructions where appropriate, it is insufficient to simply list the header without tailoring the content of the instruction to the facts and circumstances that are unique to this matter. Where the parties cannot agree on the instruction or verdict form content, please indicate as much, and include appropriate citations of legal authority in support of the proffered instruction.

15. A final pretrial conference will be held on _____ at **9:30 a.m. in Courtroom 4A**, United States District Court located at 504 West Hamilton Street, Allentown, Pennsylvania 18101. Counsel shall be prepared to address any pending motions *in limine* and objections to witnesses and exhibits. Trial counsel must attend the final pretrial conference and only those attorneys attending the conference may participate in the trial.

16. Jury selection will take place on _____ at **9:30 a.m.** at the James A. Byrne United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania 19106, in a courtroom to be determined.

17. The jury trial will begin on _____ at **9:30 a.m. in Courtroom 4A**, United States District Court located at 504 West Hamilton Street, Allentown, Pennsylvania 18101. Trial is expected to _____ also take place on : _____ and conclude on _____, 2026.

BY THE COURT:

PAMELA A. CARLOS
U.S. Magistrate Judge