

STANDING ORDER GOVERNING PRELIMINARY PRETRIAL CONFERENCES

Pursuant to F. R. Civ. P. 26(f), not later than one week before the preliminary pretrial conference all parties in this case shall confer about all matters listed in that rule. Not later than three business days before the preliminary pretrial conference, the parties shall file with the court their proposed discovery plan, including any proposals concerning topics listed in Rule 26(f)(3). In preparing their plan, the parties should note that:

- 1) Pursuant to Rule 26(d), a party may not seek discovery from any source prior to the meeting required by this order.
- 2) The parties may stipulate out of the disclosure requirements of Rules 26(a)(1) and 26(a)(2) by unanimous agreement.
- 3) Trial shall be held thirteen to fifteen months after the preliminary pretrial conference, four to seven months later for patent lawsuits and class actions.
- 4) The court requires dispositive motions to be filed not later than 5 or 6 months before trial, prior to the close of discovery, which usually ends about six weeks before trial.
- 5) If a defendant files a motion to dismiss before the preliminary pretrial conference, then the court will stay discovery until 12 weeks after the reply brief is filed or until the court rules on the motion, whichever comes first. The court will extend the rest of the schedule commensurately. The court will not stay discovery for dismissal motions filed after it sets the schedule at the preliminary pretrial conference.

The parties' report to the court must contain the following information, which should be provided in a joint statement. If the parties disagree on a point, then each party shall state its position on that point separately within the joint report.

- 1) A concise statement of the nature of the case.
- 2) The names of any related cases.
- 3) A specific statement of the material factual and legal issues to be resolved at trial.
- 4) A description of any amendments to the pleadings that any party intends to make.
- 5) The identity of any new parties to be added, including an explanation as to why these parties must (or should) be added.
- 6) The estimated trial length.
- 7) Any other matter affecting the just, speedy and inexpensive determination of this case, or which the court should take into account in setting the schedule.

Cases assigned to the magistrate judge for trial (case numbers ending with "-slc"): Before the preliminary pretrial conference the parties must submit a Notice of Assignment to a Magistrate Judge and Consent/Request for Reassignment Form. Failure timely to submit a fully executed form will result in reassignment to a district judge.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge