

[SAMPLE]

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

JOHN Q. PUBLIC,)	
)	
Plaintiff,)	Civil No. 3:12-0001
)	Judge Sharp
v.)	
)	JURY DEMAND
ACME CORPORATION,)	
)	
Defendant.)	

INITIAL CASE MANAGEMENT ORDER

A. JURISDICTION: The court has jurisdiction pursuant to 28 U.S.C. § 1331 and the Americans with Disabilities Act (ADA), 42 U.S.C. § 12101, *et seq.*

B. BRIEF THEORIES OF THE PARTIES: [not to be a verbatim recitation of the pleadings]

1) PLAINTIFF:

2) DEFENDANT:

C. ISSUES RESOLVED: Jurisdiction and venue.

D. ISSUES STILL IN DISPUTE: Liability and damages.

E. INITIAL DISCLOSURES: The parties shall exchange initial disclosures pursuant to FED. R. CIV. P. 26(a)(1) on or before _____, 2012.

F. DISCOVERY: The parties shall complete all written discovery and depose all fact witnesses on or before _____, 2012. Discovery is not stayed during dispositive motions, unless ordered by the court. No motions concerning discovery are to be filed until after the parties have conferred in good faith. Discovery motion are to be filed in accordance with the practice of the magistrate judge who will resolve any dispute(s).

G. MOTIONS TO AMEND: The parties shall file all Motions to Amend on or before _____, 2012.

H. **[only if applicable]** DISCLOSURE OF EXPERTS: The plaintiff shall identify and disclose all expert witnesses and expert reports on or before _____, 2012. The defendant shall identify and disclose all expert witnesses and reports on or before _____, 2012. Rebuttal experts, if any, shall be identified and disclosed (along with expert reports) on or before _____, 2012.

I. **[only if applicable]** DEPOSITIONS OF EXPERT WITNESSES: The parties shall depose all expert witnesses on or before _____, 2012.

J. JOINT MEDIATION REPORT: The parties shall file a joint mediation report on or before _____, 2012.

K. DISPOSITIVE MOTIONS: The parties shall file all dispositive motions on or

before _____, 2013. Responses to dispositive motions shall be filed within twenty-one (21) days after the filing of the motion. Briefs shall not exceed twenty (20) pages. Optional replies may be filed within fourteen (14) days after the filing of the response and shall not exceed five (5) pages. No motion for partial summary judgment shall be filed except upon leave of court. Any party wishing to file such a motion shall first file a separate motion that gives the justification for filing a partial summary judgment motion in terms of overall economy of time and expense for the parties, counsel and the court.

L. ELECTRONIC DISCOVERY. The parties have reached agreements on how to conduct electronic discovery. Therefore, the default standard contained in Administrative Order No. 174 need not apply to this case.

M. TRIAL DATE AND ESTIMATED TRIAL TIME: The parties expect the trial to last approximately _____ days. This action is set for [JURY/BENCH] trial on Tuesday, _____, 2013.

It is so **ORDERED**.

KEVIN H. SHARP
U.S. District Judge

APPROVED FOR ENTRY:

Attorney for Plaintiff

Attorney for Defendant