

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

JOHN Q. PUBLIC,)
)
 Plaintiff,)
)
 v.) CIVIL NO. _____
)
 ACME CORPORATION,) JUDGES CRENSHAW/_____
)
 Defendant)

INITIAL CASE MANAGEMENT ORDER

- A. JURISDICTION: The court has jurisdiction pursuant to _____.
- B. BRIEF THEORIES OF THE PARTIES: [not to be verbatim recitation of the pleading]:

For Plaintiff:

For Defendant:
- C. ISSUES RESOLVED: Jurisdiction and venue.
- D. ISSUES STILL IN DISPUTE:
 - 1. [recite specific issues].
 - 2.
- E. INITIAL DISCLOSURES: The parties shall exchange initial disclosures pursuant to Fed.R.Civ.P. 26(a)(1) on or before _____ [or “within 30 days of the initial case management conference”].

F. CASE RESOLUTION PLAN AND JOINT ADR REPORTS: [The parties shall develop a plan for resolution of the case that includes at least two independent attempts to resolve the case. The first attempt shall occur no later than 120 days from the initial case management conference, and the second attempt shall occur before the deadline for filing dispositive motions. The parties are encouraged to consider the Alternative Dispute Resolution options provided in Local Rule 16.02 through 16.07. **If the parties do not propose a plan for resolution of the case, the Court will establish case resolution plan requirements.**] By no later than _____, the parties shall submit a joint report to advise the Court that the parties made a good faith effort to resolve the case. The joint report shall also state whether the parties request referral of the case for ADR. An updated joint report, including whether the parties request referral of the case for ADR, shall be filed no later than sixty (60) days in advance of the deadline for the filing of dispositive motions.

G. DISCOVERY: The parties shall complete all written discovery and depose all fact witnesses on or before _____. Discovery is not stayed during dispositive or other motions, unless ordered by the Court. No motions concerning discovery are to be filed until after counsel have spoken in a good faith effort to resolve any dispute(s). Discovery motions are to be filed in accordance with the practices of the Magistrate Judge, who will resolve all disputes. All discovery-related motions shall be filed by no later than _____.

H. MOTIONS TO AMEND OR TO ADD PARTIES: Any motions to amend or to add parties shall be filed by no later than _____.

I. [**only if applicable**] DISCLOSURE OF EXPERTS: The plaintiff shall identify and disclose all expert witnesses and expert reports on or before _____. The defendant

shall identify and disclose all expert witnesses and reports on or before _____.
No supplemental expert reports or rebuttal experts shall be allowed, except upon order of the Court for good cause shown. [or include other language for supplemental reports and rebuttal experts]

J. **[only if applicable]** DEPOSITIONS OF EXPERT WITNESSES: All experts shall be deposed by no later than _____.

K. SUBSEQUENT CASE MANAGEMENT CONFERENCE. A subsequent case management conference shall be held on _____, to address: status of discovery (including any discovery issues or disputes); prospect for settlement (including propriety of ADR); and, any other appropriate matters.

L. DISPOSITIVE MOTIONS: Dispositive motions shall be filed by no later than _____. Responses to dispositive motions shall be filed within 28 days after the filing of the motion. Briefs or memoranda of law in support of or in opposition to a dispositive motion shall not exceed 25 pages. Optional replies may be filed within 14 days after the filing of the response and shall not exceed 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. In all other respects, the provisions of Local Rule 56.01 shall govern.

M. ELECTRONIC DISCOVERY. The parties anticipate reaching an agreement on how to conduct electronic discovery. Administrative Order No.174 therefore need not apply to this case. However, in the absence of an agreement, the default standards of Administrative Order No. 174 will apply. [May also include any agreed-upon ESI protocol or procedures.]

N. ESTIMATED TRIAL TIME AND TARGET TRIAL DATE: The [jury or bench] trial of this action is expected to last approximately _____ days. A trial date no earlier than _____ is respectfully requested.

It is so ORDERED.

United States Magistrate Judge

APPROVED FOR ENTRY:

Attorney for Plaintiff

Attorney for Defendant