IN THE DISTRICT COURT OF GUAM

TERRITORY OF GUAM

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| Plaintiff,  vs.  Defendants. | Civil Action No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**SCHEDULING AND PLANNING ORDER**

Based upon information available to the court through a status report completed by the parties pursuant to Rules 16 and 26(f), Federal Rules of Civil Procedure, and CVLR 26(f), and, if one was held, the scheduling and planning conference, this order for the pre-trial development of the case is entered pursuant to Rule 16(b), Federal Rules of Civil Procedure.

**Discovery**

Discovery shall be conducted in accordance with Rules 26 through 37, Federal Rules of Civil Procedure, CVLR 26, 33 and 36, and the discovery plan contained in the status report of the parties except that:

(1) Unless required in support of a motion or by order of the court, discovery documents are not to be filed with the court.

(2) Joint statement of issues:

(a)  Nothing further is required.

(b)  The parties have not submitted a preliminary joint statement of issues. The parties shall meet, prepare, and file a preliminary joint statement of issues by Click here to enter a date.

(3) Initial disclosures are required as a part of the Rule 26(a) (1) disclosure:

(a)  Have been exchanged.

(b)  Will be exchanged by Click here to enter a date.

(4) Expert witness disclosures in accordance with Rule 26(a) (2) must be made on or before Click here to enter a date.

(5) Pursuant to Fed.R.Civ.P. 26(a)(3), each party shall serve and file, on or before Click here to enter a date, pretrial disclosures which, unless otherwise specifically stated, must include expert as well as lay witnesses. Only those witnesses so disclosed will be permitted to testify at trial.

(6) All discovery must be scheduled so as to be completed by Click here to enter a date (defined as the last day to file responses to discovery).

(7) A discovery conference must be requested if more time is required to complete such discovery. Absent good cause shown, the court will not routinely approve requests or stipulations for extensions of time for discovery.

(8) Limits on discovery:

(a)  No limitations on discovery other than those suggested by the parties are imposed at this time.

(b)  Requests for admissions are limited to Click here to number.

(c)  Interrogatories (including subparts) to parties are limited to

Click here to enter number.

(d) (i)  Depositions are limited to Click here to enter number per side

(ii)  Depositions are limited to Click here to enter number hours per non-party witness.

(e)  [other as directed by the court].

(9) The deadline for completion of discovery is applicable to all depositions, including what some lawyers call "perpetuation" depositions. A deposition may be taken after the close of discovery only by leave of court obtained upon a showing of good cause why the deposition was not taken prior to the close of discovery.

**Motions**

1. Motions to add other parties shall be served and filed no later than Click here to enter a date and motions to otherwise amend pleadings shall be served and filed no later than Click here to enter a date. Thereafter, parties may be added and/or pleadings amended only upon leave of court and for good cause shown.

(2) All motions under the discovery rules shall be filed no later than Click here to enter a date.

(3) Dispositive motions shall be filed no later than Click here to enter a date.

**Further Pre-Trial Proceedings**

(1) The parties have /have not consented to all future proceedings in this case being before a United States Magistrate Judge.

(2) A First Preliminary Pretrial Conference is scheduled for Click here to enter a date at \_\_\_\_ \_.m. before the U.S. Magistrate Judge.

(3) A Second Preliminary Pretrial Conference is scheduled for Click here to enter a date at \_\_\_\_ \_.m. before the U.S. Magistrate Judge.

(4) A Third Preliminary Pretrial Conference is scheduled for Click here to enter a date at \_\_\_\_ \_.m. before the U.S. Magistrate Judge.

(5) The parties have/have not consented to a settlement conference before a judicial officer. ***[Optional language: A separate order setting forth the settlement conference date and other requirements shall be issued by the court.]***

(6) Each party shall file a trial brief no later than Click here to enter a date (usually no later than thirty (30) days prior to trial).

(7) The following documents shall be filed or lodged by Click here to enter a date (usually no later than fourteen (14) days prior to trial):

(a) Witness lists.

(b) Exhibit lists and exhibit binders.

(c) Discovery Material Designations

(d) Joint Proposed Pretrial Order

(e) Proposed Jury Instructions

(f) Proposed Voir Dire Questions

(g) Proposed Forms of Verdicts

(8) Objections to Opposing Party’s Witness and Exhibit Lists and Discovery Material Designations shall be filed no later than two (2) business days prior to the Final Pretrial Conference.

(9) A Final Pretrial Conference shall be held on Click here to enter a date at \_\_\_\_\_.m.

**Trial**

Bench trial/Trial by jury is scheduled for Click here to enter a date at \_\_\_\_\_\_\_.m.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

(NAME OF JUDGE)

Judge, District Court of Guam