

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

Janet Morton,

Plaintiff(s),

Civil No. 02-CV-285-JE

v.

Capitol Toyota, Inc.,

Defendant(s)

Discovery and Pretrial Scheduling Order

In order to facilitate and expedite discovery and the effective management of the instant action, the Court orders that:

(a) Corporate Disclosure Statement: In accordance with L.R. 83.16, any non-governmental corporate party must file a corporate disclosure statement concurrently with the filing of a first appearance.

(b) Initial Conference of Counsel for Discovery Planning: Except in cases exempted under Fed. R. Civ. P. 26(a)(1)(E), counsel for plaintiff(s), upon learning the identity of counsel for defendant(s), shall initiate communications with counsel for defendant(s). All counsel shall then confer as required by Fed. R. Civ. P. 26(f) within thirty (30) days after all defendants have been served (see Local Rule 26.1). In accordance with LR 16.2(b) and 16.4(c), counsel shall also discuss their client's positions regarding magistrate consent and Alternate Dispute Resolution options.

If counsel for all of the parties agree to forgo the initial disclosures required by Fed. R. Civ. P. 26(a)(1), they can use the Court form issued with this order (See Local Rule 26.2). Whether or not the parties agree to forgo the initial disclosures, they may seek discovery once the initial conference of counsel for discovery planning contemplated by Fed. R. Civ. P. 26(f) has occurred (See Local Rule 26.1).

(c) Rule 16(b) Court Conference for Scheduling and Planning: Counsel for plaintiff(s) and for defendant(s) shall, during or promptly after the conference of counsel referred to in the prior paragraph, contact the assigned judge's deputy clerk and schedule a LR 16.2 conference for scheduling and planning, and the assigned judge shall hold the conference within thirty (30) days.

At the conference, the parties shall be prepared to discuss any discovery, magistrate consent, scheduling or other issues presented by this action, including proposed modifications to the initial schedule set forth below (*See* LR 6.2).

(d) Pretrial and Discovery Deadlines: Not later than 120 days from the date of this Order¹, counsel for all parties shall:

- (1) File all pleadings [Fed. R. Civ. P. 7[a] and 15).
- (2) Join all claims, remedies and parties (Fed. R. Civ. P. 18 and 19).
- (3) File all pretrial, discovery and dispositive motions.
- (4) Complete all discovery
- (5) Confer as to Alternate Dispute Resolution (LR 16.4(c))

(e) Pretrial Order Deadline: Unless waived by order of the court, not later than 150 days from the date of this Order¹, counsel shall lodge a joint Pretrial Order and shall also file the Joint Alternate Dispute Resolution Report required by LR 16.4(d).

(f) Service of this Order: Counsel for the plaintiff shall serve this Order and attachments upon all other parties to the action.

(g) Electronic Filing: Pursuant to the protocols established in the Courts CM/ECF Procedural Order, Attorneys² may file and serve pleadings, subsequent to the complaint, electronically using the Court's Case Management/Electronic Case Filing (CM/ECF) system. The CM/ECF Procedural Order may be reviewed on the Court's Internet site at www.ord.uscourts.gov/ecf/ecfman/UserManualAttorneyExhibit01.pdf.

Dated: May 6, 2002 .

Thomas L. Gerhards, Deputy Clerk

¹ *Counsel are directed to the court's CM/ECF electronic docket to determine the exact dates established in paragraphs (d) and (e) of this order (See ecf.ord.uscourts.gov)*

² *Electronic filing is limited to attorneys admitted to practice in the court and registered with the CM/ECF system (See LR 83.1, LR 83.2, LR 83.3).*