IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
_____ DIVISION
CIVIL NO. _____

_____	)	
_____	)	
_____	)	
_____	)	
_____	)	
_____	)	
Plaintiff[s],	)	
	)	
vs.	)	**CERTIFICATION AND REPORT OF**
	)	**F.R.C.P. 26(f) CONFERENCE**
_____	)	**AND DISCOVERY PLAN**
_____	)	
_____	)	
_____	)	
_____	)	
_____	)	
_____	)	
_____	)	
Defendant[s].	)	
_____	)	

Please fill in or check the appropriate blanks (print legibly) to certify completion of the Rule 26(f) Attorney's Conference and provide the required information to the Court. Where the parties were unable to agree on a specific provision or item, please so note and attach any necessary explanation. Please note that this information will be used as a guideline by the judge conducting the Initial Pretrial Conference or issuing the Initial Pretrial Order.

1. Certification of Conference. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on _____ (*date*) [ ] at _____ (*place*) or [ ] by telephone and was conducted by the undersigned counsel for the designated parties in the above-captioned case.

2. Pre-Discovery Disclosures. The information required by Fed. R. Civ. P. 26(a)(1) (*check one*) [ ] has been exchanged [ ] will be exchanged by_____(*date*).

3. Discovery Plan. The parties jointly propose to the court the following discovery plan: [*Use separate paragraphs or subparagraphs as necessary if parties disagree.*]

a) All discovery shall be commenced in time to be completed by _____(*date*).

[*if needed*] Discovery on

_____

_____

(*identify any issues requiring early discovery*) will be completed by _____ (*date*).

b) Discovery Limits:

1) Maximum of _____ (*ordinarily 20*) interrogatories by each party to any other party .

2) Maximum of _____ (*ordinarily 20*) requests for admission by each party to any other party.

3) Maximum of _____ depositions by plaintiff(s) and _____ by defendant(s) (*ordinarily 6 each*) [or ____ by *each* plaintiff and _____ by *each* defendant].

c) Reports from retained experts under Rule 26(a)(2) will be due:

-from plaintiff(s) by _____(*date*)

-from defendant(s) by _____(*date*)

Supplementations under Rule 26(e) due _____ (*list time(s) or interval(s)*)

4. Other Items. [*Attach separate paragraphs as necessary if parties disagree.*]

a) The parties [ ] request [ ] do not request a conference with the court before entry of the scheduling order.

b) All potentially dispositive motions should be filed by _____ (*date, ordinarily one month after the close of discovery*)

c) Settlement:

[ ] is likely

[ ] is unlikely

[ ] cannot be evaluated prior to _____(*date*)

[ ] may be enhanced by use of the following ADR procedure:

[ ] Mediated Settlement Conference

[ ] binding arbitration

[ ] judicial settlement conference

[ ] other _____

The parties agree that the above selected ADR procedure would be most useful if conducted:

[ ] after resolution of any outstanding dispositive motions, but prior to further discovery;
[ ] after an initial round of preliminary discovery to be completed by _____ (*date*);
[ ] after the completion of discovery;
[ ] after resolution of summary judgment motions, if any
[ ] not applicable.

d) Final lists of witnesses and exhibits under Rule 26(a)(3) are due:
from plaintiff(s) by _____(*date*)
from defendant(s) by _____(*date*)

e) If the case is ultimately tried, trial is expected to take approximately _____ days.

f) [ ] The parties have discussed the issue of consent to the jurisdiction of a U.S. magistrate judge.

5. Please identify any other matters regarding discovery or case management which may require the Court's attention (e.g., concerns re: confidentiality, protective orders, etc., unmovable scheduling conflicts)

_____
_____
_____
_____
_____
_____
_____

Plaintiff's Counsel	*Party*	*Date*	*Defendant's Counsel*	*Party*	*Date*
Plaintiff's Counsel	*Party*	*Date*	*Defendant's Counsel*	*Party*	*Date*
Plaintiff's Counsel	*Party*	*Date*	*Defendant's Counsel*	*Party*	*Date*
Plaintiff's Counsel	*Party*	*Date*	*Defendant's Counsel*	*Party*	*Date*
Plaintiff's Counsel	*Party*	*Date*	*Defendant's Counsel*	*Party*	*Date*

(attach additional sheets if necessary)