

Counsel Submitting and Utah State Bar Number
Attorneys for
Address
Telephone
E-mail Address

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

_____, Plaintiff,	ATTORNEY PLANNING MEETING REPORT
v.	Case No. _____
_____, Defendant.	District Judge _____

1. PRELIMINARY MATTERS:

- a. Describe the nature of the claims and affirmative defenses:
- b. This case is _____ not referred to a magistrate judge
_____ referred to magistrate judge _____
_____ under 636(b)(1)(A)
_____ under 636(b)(1)(B)
_____ assigned to a magistrate judge under General Order 07-001
and
_____ all parties consent to the assignment for all
proceedings or
_____ one or more parties request reassignment to a district
judge
- c. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on _____ (*specify date*)
at _____ (*specify location*).

The following attended:

_____ *name of attorney*,
counsel for _____ *name of party*

_____ name of attorney,
counsel for _____ name of party

- d. The parties _____ have exchanged or _____ will exchange by ___/___/___ the initial disclosures required by Rule 26(a)(1).
- e. Pursuant to Fed. R. Civ. P. 5(b)(2)(D), the parties agree to receive all items required to be served under Fed. R. Civ. P. 5(a) by either (i) notice of electronic filing, or (ii) e-mail transmission. Such electronic service will constitute service and notice of entry as required by those rules. Any right to service by USPS mail is waived.

2. DISCOVERY PLAN: The parties jointly propose to the Court the following discovery plan: *Use separate paragraphs or subparagraphs as necessary if the parties disagree.*

- a. Discovery is necessary on the following subjects: *Briefly describe the subject areas in which discovery will be needed.*
- b. Discovery Phases
Specify whether discovery will (i) be conducted in phases, or (ii) be limited to or focused on particular issues. If (ii), specify those issues and whether discovery will be accelerated with regard to any of them and the date(s) on which such early discovery will be completed.
- c. Designate the discovery methods to be used and the limitations to be imposed.
 - (1) *For oral exam depositions, (i) specify the maximum number for the plaintiff(s) and the defendant(s), and (ii) indicate the maximum number of hours unless extended by agreement of the parties.*

Oral Exam Depositions

Plaintiff(s) _____

Defendant(s) _____

Maximum number of hours per deposition _____

- (2) *For interrogatories, requests for admissions, and requests for production of documents, specify the maximum number that will be served on any party by any other party.*

Interrogatories _____

Admissions _____

Requests for production of documents _____

- (3) *Other discovery methods: Specify any other methods that will be used and any limitations to which all parties agree.*

- d. Discovery of electronically stored information should be handled as follows: *Brief description of parties' agreement.*
- e. The parties have agreed to an order regarding claims of privilege or protection as trial preparation material asserted after production, as follows: *Brief description of provisions of proposed order.*
- f. Last day to file written discovery ___/___/___
- g. Close of fact discovery ___/___/___
- h. (optional) Final date for supplementation of disclosures under Rule 26(a)(3) and of discovery under Rule 26(e) ___/___/___

3. AMENDMENT OF PLEADINGS AND ADDITION OF PARTIES:

- a. The cutoff dates for filing a motion to amend pleadings are: *specify date*
Plaintiff(s) ___/___/___ Defendant(s) ___/___/___
- b. The cutoff dates for filing a motion to join additional parties are: *specify date*
Plaintiff(s) ___/___/___ Defendants(s) ___/___/___

(NOTE: Establishing cutoff dates for filing motions does not relieve counsel from the requirements of Fed. R. Civ. P. 15(a)).

4. EXPERT REPORTS:

- a. The parties will disclose the subject matter and identity of their experts on (specify dates):
Parties bearing burden of proof ___/___/___
Counter Disclosures ___/___/___
- b. Reports from experts under Rule 26(a)(2) will be submitted on (specify dates):
Parties bearing burden of proof ___/___/___
Counter Reports ___/___/___

5. OTHER DEADLINES:

- a. Expert Discovery cutoff: ___/___/___
- b. Deadline for filing dispositive¹ or potentially dispositive motions including motions to exclude experts where expert testimony is required to prove the case.
___/___/___
- c. Deadline for filing partial or complete motions to exclude expert testimony
___/___/___

¹ Dispositive motions, if granted, resolve a claim or defense in the case; nondispositive motions, if granted, affect the case but do not resolve a claim or defense.

6. ADR/SETTLEMENT:

Use separate paragraphs/subparagraphs as necessary if the parties disagree.

- a. The potential for resolution before trial is: ___ good ___ fair ___ poor
- b. The parties intend to file a motion to participate in the Court’s alternative dispute resolution program for: settlement conference (with Magistrate Judge): _____ arbitration: _____ mediation: _____
- c. The parties intend to engage in private alternative dispute resolution for: arbitration: _____ mediation: _____
- d. The parties will re-evaluate the case for settlement/ADR resolution on (*specify date*): ___/___/___

7. TRIAL AND PREPARATION FOR TRIAL:

- a. The parties should have _____ days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3) (if different than the 14 days provided by Rule).
- b. This case should be ready for trial by: *specify date* ___/___/___
Specify type of trial: Jury _____ Bench _____
- c. The estimated length of the trial is: *specify days* _____

Signature and typed name of Plaintiff(s) Attorney

Date: ___/___/___

Signature and typed name of Defendant(s) Attorney

Date: ___/___/___

NOTICE TO COUNSEL

The Report of the Attorney Planning Meeting should be completed and filed with the Clerk of the Court. A copy of the Proposed Scheduling Order on the Court’s official form should be submitted in word processing format by email to ipt@utd.uscourts.gov. If counsel meet, confer, and stipulate to a schedule they should:

- (i) file a stipulated Attorney Planning Meeting Report *and*
- (ii) email a draft scheduling order in word processing format by email to ipt@utd.uscourts.gov

The Court will consider entering the Scheduling Order based on the filed Attorney Planning Meeting Report.

In CM/ECF, this document should be docketed as Other Documents - Attorney Planning Meeting.



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Other Documents

Attorney Planning Meeting

Next Clear

If the parties are unable to stipulate to a schedule, the parties will file a **Motion for Initial Scheduling Conference**. The assigned district or referred magistrate judge may hold a hearing. If a hearing is held, counsel should bring a copy of the Attorney Planning Meeting Report to the Hearing.

More information is available at <http://www.utd.uscourts.gov/documents/ipt.html>