

UNITED STATES DISTRICT COURT

DISTRICT OF UTAH

Plaintiff,  <div style="text-align: center;">vs.</div> Defendant.	<b>Proposed Scheduling Order in an ERISA Case</b>  <hr/> Case Number: <i>(including assigned judge initials and referred magistrate judge initials, if applicable)</i>  <hr/> District Judge  <hr/> Magistrate Judge
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Under Fed. R. Civ. P. 16(b), the Local Rules of Practice, and the Order to Propose Schedule, if applicable, an Attorney Planning Meeting has been held and the Attorney Planning Meeting Report has been completed. The following deadlines may not be modified without a court order consistent with Fed. R. Civ. P. 16(b)(4) and DUCivR 83-4.

**DEADLINES ARE 11:59 P.M. ON THE DATE INDICATED UNLESS EXPRESSLY STATED OTHERWISE**

**1. PRELIMINARY MATTERS**

a.		Fed. R. Civ. P. 26(f)(1) Conference: <i>(date the conference was held)</i>	<u>00/00/00</u>
b.		The parties agree that ERISA governs this case and the court has subject matter jurisdiction under 28 U.S.C. § 1331 and 29 U.S.C. §§ 1132(e)(1) & 1132(f):	<div style="display: flex; justify-content: space-around;"> <span>Yes <input type="checkbox"/></span> <span>No <input type="checkbox"/></span> </div>

c.		Fed. R. Civ. P. 26(a)(1) Initial Disclosures and pre-litigation appeal record: <i>(the parties have exchanged initial disclosures and the prelitigation appeal record or will exchange no later than the date provided)</i>	<u>00/00/00</u>
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## 2. DISCOVERY LIMITATIONS

a.		Discovery is needed in this case:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
b.		Deadline for the parties to file a motion under DUCivR 7-1(a)(4)(D)—in the event there is a dispute as to the completeness of the administrative record and/or the necessity for or permissibility of discovery—within 45 days of the production of initial disclosures:		<u>00/00/00</u>
c.		The parties will handle discovery of electronically stored information as follows:		

## 3. AMENDING OF PLEADINGS AND JOINING OF PARTIES<sup>1</sup>

a.	Deadline to file a motion to amend pleadings—			
	1.	Plaintiff:		<u>00/00/00</u>
	2.	Defendant:		<u>00/00/00</u>
b.	Deadline to file a motion to join additional parties—			
	1.	Plaintiff:		<u>00/00/00</u>
	2.	Defendant:		<u>00/00/00</u>

## 4. OTHER DEADLINES AND TRIAL-RELATED INFORMATION<sup>2</sup>

a.	Deadline for the parties to file cross-motions for summary judgment (regardless of whether discovery is or is not allowed) consistent with DUCivR 7-1(a)(4)(B):		<u>00/00/00</u>
b.	Deadline for filing a request for a scheduling conference for the purpose of setting a trial date if no dispositive motions are filed:		<u>00/00/00</u>

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 202X.

<sup>1</sup> Counsel must still comply with the requirements of Fed. R. Civ. P. 15(a).

<sup>2</sup> The court will enter the date in Section 4.b.

BY THE COURT:

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[Judge's Name]  
[Type of Judge]