

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

Plaintiff(s),	§	
v.	§	
Defendant(s).	§	

CIVIL ACTION NO. _____

JOINT DISCOVERY/CASE MANAGEMENT PLAN

1. **Rule 26(f) meeting.** State where and when the parties held the meeting required by Rule 26(f). Identify the counsel who attended for each party.

2. **Jurisdiction.**
 - a. **Basis.** Specify the basis of federal jurisdiction. Identify any parties who disagree and the reasons.

 - b. **Diversity.** For jurisdiction based on diversity, identify any disagreement about the amount in controversy. If the case involves an unincorporated entity as a party (such as an LLC, LLP, or partnership), state the citizenship of every member or partner. Any such party must also attach to this filing an affidavit or declaration establishing the citizenship of every member.

3. **Case background.**
 - a. **General description.** Briefly describe what this case is about. In addition, state the elements of each cause of action, defense, and counterclaim.

 - b. **Related cases.** List all related cases pending in any other state or federal court. Identify the court and case number. Describe how it relates to this case.

 - c. **Class issues.** Describe any class-action or collective-action issues. Provide the proposed definition of the class. Identify the basis for any opposition.

4. **Parties.**
 - a. **Unserved parties.** List any unserved parties. State a date certain by which that party will be served.

- b. **Additional parties.** List any anticipated additional parties. Identify the party seeking to add them, briefly explain why, and indicate a date by which to do so.
- c. **Interventions.** List and briefly explain any anticipated interventions.
- d. **Interested persons.** Certify that all parties have filed the Disclosure of Interested Persons as directed in the Order for Conference and Disclosure of Interested Persons.

5. **Discovery.**

- a. **Initial disclosures.** State whether each party has completed its Rule 26(a) initial disclosures. If not, specify the date by which each party will do so.
- b. **Phases.** State whether the parties considered conducting discovery in phases.
- c. **Completed.** Specify any discovery already underway or accomplished.
- d. **Limitations.** Describe any requested change to limitations set by the Federal Rules of Civil Procedure as to interrogatories, depositions, or other matters.
- e. **Preservation.** Describe any issues about preservation of discoverable information.
- f. **Disputes.** Specify any discovery disputes.

6. **Orders.**

- a. **Protective order.** State whether the parties will request a protective order. Describe any issues about confidentiality.
- b. **E-discovery order.** State whether the parties will request an electronic discovery order. Describe any issues about disclosure or discovery of electronically stored information.

7. **Settlement.** Discuss the possibility for prompt, agreed resolution of the case at the Rule 26(f) meeting. State whether the parties are amenable to early mediation or other settlement attempt.

8. **Trial.**

- a. **Magistrate Judge.** Indicate the parties' joint position on referral of this case for all purposes, including trial, to a Magistrate Judge.
- b. **Jury demand.** Identify any party that has made a jury demand and whether it was timely.

c. **Length of trial.** Specify the total number of hours it will likely take to present the evidence at trial in this case.

9. **Other matters.** List any other matter that needs to be addressed at the Scheduling Conference.

10. **Proposed Scheduling Order.** Complete and attach a joint proposed scheduling order. Use Form 4 on this Court's home page. Clearly indicate any disagreements with reasons in support of the requests made.

Respectfully submitted,

Date

[Plaintiff Signature Block]

Date

[Defendant Signature Block]