

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

_____	§	
	§	
Plaintiff(s),	§	
	§	
v.	§	CIVIL ACTION NO. H-_____
	§	
_____	§	
	§	
Defendant(s).	§	

**JOINT DISCOVERY/CASE MANAGEMENT PLAN
UNDER RULE 26(f)
FEDERAL RULES OF CIVIL PROCEDURE**

Please restate the instruction before furnishing the information.

1. State when and how the meeting of the parties required by Rule 26(f) was held, and identify the counsel or self-represented litigant who attended for each party.
2. List the cases related to this one that are pending in any state or federal court, with the case number and court, and state how the cases are related.
3. Briefly describe what this case is about.
4. Specify the allegation of federal jurisdiction.
5. Identify the parties who disagree and the reasons.
6. Identify any issues as to service of process, personal jurisdiction, or venue.
7. List anticipated additional parties that should be included and when they can be added, and identify any class or collective-action certification issues.
8. State whether each party has made the initial disclosures required by Rule 26(a). If not, describe the arrangements that have been made to complete the disclosures and the dates.
9. If the case includes a claim for attorneys' fees, state whether the parties agree to submit the fees issue to the court for resolution on affidavits or declarations, after the other issues are resolved.
10. Describe the proposed discovery plan, including:
 - A. Responses to the matters raised in Rule 26(f), including any agreements reached concerning electronic and other discovery and any disputed issues relating to electronic and other discovery.

- B. When and to whom the plaintiff anticipates it may send interrogatories and requests for production.
 - C. When and to whom the defendant anticipates it may send interrogatories and requests for production.
 - D. Of whom and by when the plaintiff anticipates taking oral depositions, and whether they can be done by remote means, such as by zoom.
 - E. Of whom and by when the defendant anticipates taking oral depositions, and whether they can be done by remote means, such as by zoom.
 - F. Any threshold issues—such as limitations, jurisdiction, or immunity—that should be scheduled for early resolution, what discovery targeted to those issues may need to occur early, and how long this targeted discovery will take.
 - G. Any experts needed on issues other than attorneys’ fees.
 - H. If medical experts are needed, whether they are only treating physicians or also designated on other issues.
 - I. When the plaintiff (or the party with the burden of proof on an issue) will be able to designate experts and provide the reports required by Rule 26(a)(2)(B), and when the opposing party will be able to designate responsive experts and to provide their reports.
 - J. List expert depositions the plaintiff (or the party with the burden of proof on an issue) anticipates taking and their anticipated completion date, and whether they can be done by remote means, such as by zoom. See Rule 26(a)(2)(B) (expert report).
 - K. List expert depositions the opposing party anticipates taking and their anticipated completion date, and whether they can be done by remote means, such as by zoom. See Rule 26(a)(2)(B) (expert report).
 - L. In a case involving parties that are unincorporated entities, such as an LLC or LLP, state the citizenship of every member and file an affidavit or declaration setting out the citizenship of every member.
11. If the parties are not agreed on a part of the discovery plan, describe the separate views and proposals of each party.
 12. Specify the discovery beyond initial disclosures that has been undertaken to date.
 13. State the date the planned discovery can reasonably be completed.
 14. Describe the possibilities for a prompt settlement or resolution of the case that were discussed in your Rule 26(f) meeting or have emerged since then.

15. From the attorneys' discussion with the clients, state the alternative dispute resolution techniques that are reasonably suitable and when they are likely to be effective in this case.
16. Magistrate judges may hold jury and nonjury trials with the consent of all parties. Indicate the parties' joint position on a trial before Judge Sam Sheldon.
17. State whether a jury demand has been made and if it was made on time.
18. Specify the number of hours it will likely take to present the evidence.
19. List pending motions that may be ruled on at the initial pretrial and scheduling conference.
20. List other pending motions.
21. List issues or matters, including discovery, that should be addressed at the conference.
22. Certify that all parties have filed the Disclosure of Interested Persons as directed in the Order for Conference and Disclosure of Interested Persons, listing the date of filing for original and any amendments.
23. List the names, bar numbers, addresses, telephone numbers, and emails of all counsel and unrepresented parties.

Counsel for Plaintiff(s)

Date

Counsel for Defendant(s)

Date

