

Sample Form 11

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Plaintiff(s),

No.

(EDL)

v.

JOINT CASE MANAGEMENT STATEMENT
AND PROPOSED ORDER

Defendant(s).

The parties to the above-entitled action jointly submit this Case Management Statement and Proposed Order and request the Court to adopt it as its Case Management Order in this case.

DESCRIPTION OF THE CASE

1. A brief description of the events underlying the action:

2. The principal factual issues which the parties dispute:

3. The principal legal issues which the parties dispute:

4. The other factual issues [e.g., service of process, personal jurisdiction, subject matter jurisdiction or venue] which remain unresolved for the reasons stated below and how the parties propose to resolve those issues:

5. The parties which have not been served and the reasons:

6. The additional parties that the below-specified parties intend to join and the intended time frame for such joinder:

CONSENT TO MAGISTRATE JUDGE FOR TRIAL

7. Parties consent to assignment of this case to a United States Magistrate Judge for [court or jury] trial: ____ Yes ____ No [Note: Each party who declines to consent to jurisdiction of the magistrate judge must timely file the "Request for Reassignment to a United States District Judge for Trial and Disposition," as required by General Order 44.]

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ALTERNATIVE DISPUTE RESOLUTION

8. The parties have already been assigned *[or the parties have agreed]* to the following court ADR process *[e.g., Nonbinding Arbitration, Early Neutral Evaluation, Mediation, Early Settlement Conference with a Magistrate Judge]* *[State the expected or scheduled date for the ADR session]:*

9. The ADR process to which the parties jointly request *[or a party separately requests]* referral:

DISCLOSURES

10. The parties certify that they have made the following disclosures *[list disclosures of persons, documents, damage computations and insurance agreements]:*

DISCOVERY & MOTIONS

11. The parties agree to the following discovery plan *[Describe the plan, e.g., any limitation on the number, duration or subject matter for various kinds of discovery; discovery from experts; deadlines for completing discovery]:*

Discovery Limits

Depositions:	Pltf. _____	Def. _____
Interrogs.:	Pltf. _____	Def. _____
Doc. Req.:	Pltf. _____	Def. _____
Req. Adm.:	Pltf. _____	Def. _____

(According to Federal Rules of Civil Procedure and Local Rules, subject to any provisions below)

Non-Expert Discovery Cut-off _____
Designation of Experts: Pltf. _____ Def. _____
(Parties shall conform to Fed.R.Civ.P. 26(a)(2))
Expert Discovery Cut-off _____

Dispositive Motions - Last Day for Hearing: _____
(Shall be at least 90 days before pretrial conference date)

TRIAL SCHEDULE

12. The parties request a trial date as follows:

13. The parties expect that the trial will last for the following number of days:

SIGNATURE AND CERTIFICATION BY PARTIES AND LEAD TRIAL COUNSEL

Pursuant to Civil L.R. 16-12, each of the undersigned certifies that he or she has read the brochure entitled "Dispute Resolution Procedures in the Northern District of California," discussed the available dispute resolution options provided by the court and private entities and has considered whether this case might benefit from any of the available dispute resolution options.

Dated: _____

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Dated: _____ [Typed name and signature of each party and lead trial counsel]
_____ [Typed name and signature of each party and lead trial counsel]

CASE MANAGEMENT ORDER

The Case Management Statement and Proposed Order is hereby adopted by the Court as the Case Management Order for the case and the parties are ordered to comply with this Order.

- In addition the Court orders:** *[The Court may wish to make additional orders, such as:*
- a. Referral of the parties to court or private ADR process;*
 - b. Schedule a further Case Management Conference;*
 - c. Schedule the time and content of supplemental disclosures;*
 - d. Specially set motions;*
 - e. Impose limitations on disclosure or discovery;*
 - f. Set time for disclosure of identity, background and opinions of experts;*
 - g. Set deadlines for completing fact and expert discovery;*
 - h. Set time for parties to meet and confer regarding pretrial submissions;*
 - I. Set deadline for hearing motions directed to the merits of the case;*
 - j. Set deadline for submission of pretrial material;*
 - k. Set date and time for pretrial conference;*
 - l. Set a date and time for trial.]*

Plaintiff is ordered to serve a copy of this order on any party subsequently joined in this action.

Dated: _____
ELIZABETH D. LAPORTE
United States Magistrate Judge