

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
OFFICE OF THE CLERK  
C. DUKE HYNEK

REPLY TO:

B-35 FEDERAL BUILDING  
410 W. MICHIGAN AVENUE  
KALAMAZOO, MI 49007  
616-349-2922

P.O. BOX 698  
229 FEDERAL BUILDING  
MARQUETTE, MI 49855  
906-226-2021



REPLY TO:

452 FEDERAL BUILDING  
110 MICHIGAN AVENUE, NW  
GRAND RAPIDS, MI 49503  
616-456-2381

113 FEDERAL BUILDING  
315 W. ALLEGAN  
LANSING, MI 48933  
517-377-1559

TO: Recipients of the Civil Justice Expense and Delay Reduction Plan  
of the United States District Court for the Western District of Michigan

FROM: C. Duke Hynek, Clerk *C. Duke Hynek*

DATE: December 21, 1993

RE: Second and Third Amendments to the Civil Justice Expense and Delay Reduction  
Plan, Effective November 16, 1993 and December 17, 1993, Respectively

On December 18, 1991, this court adopted and implemented a Civil Justice Expense and Delay Reduction Plan in accordance with 28 U.S.C. § 471 et seq. Further to assure the uniformity and efficiency of the plan, and to delineate and modify specific court procedures under the differentiated case management (DCM) system, the court on November 16, 1993 and December 17, 1993, respectively, adopted and implemented the attached second and third amendments to the Civil Justice Expense and Delay Reduction Plan. Please add these supplements to your Report and Plan.

**FILED**

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

93 NOV 17 PM 2:48

JOHN H. HINEK, CLERK  
U.S. DISTRICT COURT  
WESTERN DIST OF MICH

BY MSV

ADMINISTRATIVE ORDER )  
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No. 93-115

**SECOND AMENDMENT TO CIVIL JUSTICE  
EXPENSE AND DELAY REDUCTION PLAN**

On December 18, 1991, this court adopted a Civil Justice Expense and Delay Reduction Plan pursuant to 28 U.S.C. § 471, et seq. On August 28, 1992, the court entered an order amending the plan. The order, among other things, adopted presumptive discovery limitations for cases assigned to the voluntary expedited, expedited, standard, and complex tracks. Discovery limitations for cases assigned to the highly complex track were left to the discretion of the court. The order, however, did not provide for any presumptive discovery limitations to cases assigned to the administrative track.

The court's experience to date under the plan leads the court to conclude that presumptive discovery limitations should be imposed upon civil rights actions assigned to the administrative track. The Civil Justice Advisory Group has approved the concept of presumptive discovery limits applicable to such civil actions.

NOW, THEREFORE, IT IS ORDERED that the Civil Justice Expense and Delay Reduction Plan adopted by this district be and it hereby is amended to add the following provision to the description of the administrative track.

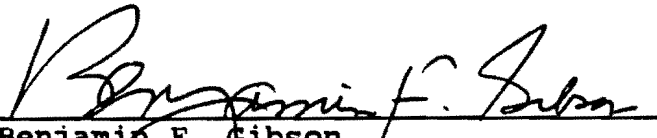
Civil rights actions assigned to the administrative track shall be subject to the following discovery limitations. (1) No party may serve more than fifteen interrogatories, including discrete subparts. (2) No party may serve requests for the production of documents seeking more than five categories of documents. These presumptive discovery limitations may be modified upon motion of a party for good cause shown. If the court determines that a trial is necessary, the case may be assigned to another track, and the parties may seek further discovery.

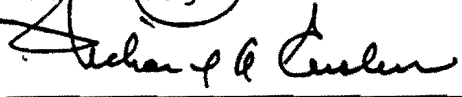
IT IS FURTHER ORDERED that, except as herein amended, this court's Civil Justice Expense and Delay Reduction Plan, as embodied in the orders dated December 18, 1991, and August 28, 1992, shall remain unchanged.

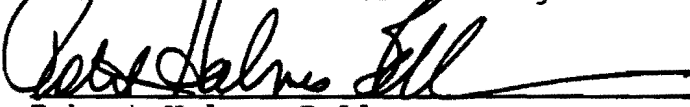
IT IS FURTHER ORDERED that the Clerk shall distribute copies of this amendment as required by law.


IT IS FURTHER ORDERED that this amendment shall take immediate effect.


Dated this 16<sup>th</sup> day of November, 1993.

  
Benjamin F. Gibson  
Chief Judge

  
Richard A. Enslen  
United States District Judge

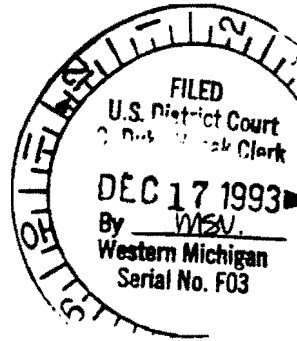
  
Robert Holmes Bell  
United States District Judge

  
David W. McKeague  
United States District Judge

  
Gordon J. Quist  
United States District Judge

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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IN THE MATTER OF THIRD AMENDMENT  
TO CIVIL JUSTICE EXPENSE AND  
DELAY REDUCTION PLAN

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Administrative Order  
No. 93-124

On December 18, 1991, this court adopted a Civil Justice Expense and Delay Reduction Plan pursuant to 28 U.S.C. § 471, et seq. On August 28, 1992, the court entered an order amending the plan. The order, among other things, required a case management scheduling conference held pursuant to Rule 16 of the Federal Rules of Civil Procedure to be held no later than thirty (30) days after receipt of the last defendant's first responsive pleading, except in Non-DCM cases.

The court's experience to date under the plan leads the court to conclude that the case management scheduling conference should be held no later than forty-five (45) days after receipt of the last defendant's first responsive pleading, or as soon thereafter as practicable. The Civil Justice Advisory Group has approved the concept of amending the timing of the case management scheduling conference for all applicable civil actions.

NOW, THEREFORE, IT IS ORDERED that the Civil Justice Expense and Delay Reduction Plan adopted by this district be and it hereby is amended to add the following provision:

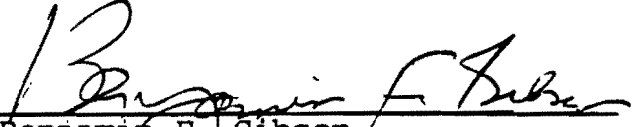
Except in Non-DCM cases, a case management scheduling conference held pursuant to Rule 16 of the Federal Rules of Civil Procedure shall be held no later than forty-five (45) days after receipt of the last defendant's first responsive pleading, or as soon thereafter as practicable. The conference may be conducted by telephone or in person, according to judicial preference.

IT IS FURTHER ORDERED that, except as herein amended, this court's Civil Justice Expense and Delay Reduction Plan, as embodied in the orders dated December 18, 1991, August 28, 1992, and November 16, 1993, shall remain unchanged.

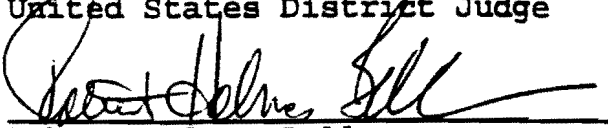
IT IS FURTHER ORDERED that the Clerk shall distribute copies of this amendment as required by law.


IT IS FURTHER ORDERED that this amendment shall take immediate effect.


Dated this 17<sup>th</sup> day of December, 1993.

  
Benjamin F. Gibson  
Chief Judge

  
Richard A. Enslin  
United States District Judge

  
Robert Holmes Bell  
United States District Judge

  
David W. McKeague  
United States District Judge

  
Gordon J. Quist  
United States District Judge