

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

)	CASE NO.
)	
Plaintiff)	JUDGE CHRISTOPHER A. BOYKO
)	
vs.)	
)	
)	
)	
)	
Defendant.)	<u>CASE MANAGEMENT ORDER</u>

CHRISTOPHER A. BOYKO, J:

A Case Management Conference was held in this matter on

_____. IT IS ORDERED that:

1. The case is assigned to the _____ **expedited/** _____ **standard/** _____ **complex/mass tort** track.

2. The case is _____/is not _____ suitable for referral to an Alternative Dispute Resolution (ADR) program.

The Court orders this case to:

_____ Early Neutral Evaluation _____ Mediation _____ Arbitration to occur _____

_____, and shall be conducted by _____

_____. Parties with full

settlement authority must attend these proceedings.

Arbitration _____ is/ _____ is not suitable after completion of discovery.

3. As of January 1, 2006, all cases must be filed electronically pursuant to Local Civil Rule 5.1(c).

4. The parties _____ do/ ___x___ do not consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).

5. Non-expert discovery cut-off date: _____.

6. Plaintiff's expert report due date: _____.

7. Defendant's expert report due date: _____.

8. Expert discovery cut off date: _____.

9. Cut off date for amending pleadings and/or adding new parties: _____.

10. Dispositive Motions due: _____. The Court will

not accept, without granting prior leave, any supplemental

motion, document, sur-reply, or exhibit in support of, or in opposition to, a dispositive

motion, which has not been specifically addressed in the case management order. No

request for an extension of time will be entertained unless it is filed prior to the date from

which extension is sought **and** it indicates whether opposing counsel consents or objects

to the requested extension.

11. Briefs in Opposition due: _____.

12. Replies to Briefs in Opposition due: _____.

13. Settlement Conference is set for _____.

14. Counsel is _____/is not _____ required to submit status reports to the Court every

forty five days during the pendency of this matter. Status reports shall briefly state the following:

(1) discovery that has occurred during the reporting period; (2) settlement discussions that have

occurred during the reporting period; (3) motions that have been filed or remain pending during

the reporting period; and (4) any developments that might give rise to a request to deviate from the schedule outlined in this Case Management Plan. Failure to file status reports may result in sanctions ranging from denial of time extensions to dismissal of claims or defenses under Rule 41(b).

15. Parties with full settlement authority shall be present at the Settlement Conference. Motions to excuse the presence of parties will only be entertained for reasons of undue hardship. Motions to excuse must be filed no later than seven (7) days prior to the scheduled Status Conference/ Settlement Conference. Excused parties must be available by phone at the time of the scheduled Settlement Conference. **Parties shall comply with the Court's Standing Order for Settlement Conferences. Failure to comply may result in sanctions up to and including dismissal and/or striking of offending party's pleadings.**

16. Parties are expected to comply with Local Rule 37.1 regarding any discovery disputes. The Court will not entertain phone calls or Motions to Compel prior to proof of compliance with Local Rule 37.1. For purposes of certification the Court requires affidavits of counsel attesting to good faith efforts to resolve the dispute. Affidavits may be filed or submitted to the Court by mail or fax.

17. **This Order shall constitute notice for purposes of sanctions up to and including dismissal and/or striking of offending party's pleadings for failure to abide by any Court Order.**

IT IS SO ORDERED.

Date

S:/Christopher A. Boyko
CHRISTOPHER A. BOYKO

United States District Judge

Minutes: