

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO**

\_\_\_\_\_ ,

Case No. \_\_\_\_\_

**Plaintiff(s),**

-vs-

**JUDGE PAMELA A. BARKER**

\_\_\_\_\_ ,

**Defendant(s).**

**CASE MANAGEMENT CONFERENCE  
ORDER**

A Case Management Conference (“CMC”) was held in this matter on \_\_\_\_\_. The parties and counsel of record agreed to the following, and **IT IS ORDERED** that:

1. This case is assigned to the [**expedited, standard, complex, administrative, mass tort**] track.
2. This case was referred to Alternative Dispute Resolution (“ADR”):  
Yes \_\_\_\_\_ No \_\_\_\_\_ Decision delayed \_\_\_\_\_  
If yes, by the following ADR process: Early Neutral Evaluation \_\_\_\_\_ Mediation \_\_\_\_\_  
Arbitration \_\_\_\_\_ Summary Jury Trial \_\_\_\_\_ Summary Bench Trial \_\_\_\_\_
3. The parties **do/do not** consent to the jurisdiction of a United States Magistrate Judge pursuant to 28 U.S.C. § 636(c) at this time.
4. The **pleadings shall be amended without leave of Court and new parties shall be joined on or before** \_\_\_\_\_.
5. **Schedule for Conditional Class Certification, Opt-In Discovery, and Notice:**

Where parties are not in agreement regarding certification, the deadline for discovery regarding certification motions is \_\_\_\_\_. Plaintiff’s Motion for Certification is due \_\_\_\_\_. Response shall be due no later than \_\_\_\_\_.

6. **All other non-expert discovery shall be completed by \_\_\_\_\_.** Discovery shall be conducted according to the guidelines set forth in Local Rule 16.2 for cases assigned to this track. The Court directs the parties to comply with Local Rule 37.1 before filing any motions seeking aid from the Court in discovery matters.
7. **Expert discovery shall be completed by \_\_\_\_\_.** The party initially seeking to introduce expert testimony shall exchange his or her Expert Report on or before \_\_\_\_\_. Responsive Expert Reports shall be exchanged on or before \_\_\_\_\_.
8. **Dispositive Motions shall be filed on or before \_\_\_\_\_.** Responses to dispositive motions must be filed within thirty (30) days of the service of the dispositive motion. Replies must be filed within fourteen (14) days of the service of the response. (See Local Rule 7.1). No sur-reply brief may be filed without leave of Court. No request for an extension of time will be entertained unless it is filed prior to the response date from which extension is sought and it indicates whether opposing counsel consents or objects to the requested extension.
9. **A [telephonic/in-person] status conference with lead counsel is set for \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.** Counsel shall confer within five (5) business days of the scheduled conference to discuss outstanding issues and respective positions as to settlement. Counsel shall provide to the Court within three (3) business days of the conference, a joint Status Report or confidential individual Status Reports describing the status of discovery, settlement positions, and issues to be addressed. The Status Reports need not be filed, but may be delivered via email to [Barker\\_Chambers@ohnd.uscourts.gov](mailto:Barker_Chambers@ohnd.uscourts.gov)
8. **A Settlement Conference is set for \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.** in Room 16A. Parties and lead counsel must appear in person unless otherwise ordered by the Court.

“Parties” means the named individuals or, in the case of a corporation or similar legal entity, a person with knowledge of the facts who has full settlement authority. In addition, if there is insurance that arguably covers a party’s claim(s), an insurance representative with settlement authority shall also attend the Settlement Conference. If the presence of a party, lead counsel, or insurance representative will constitute an undue hardship, a written motion to excuse the presence of such person must be filed seven (7) days prior to the Settlement Conference. Within five (5) days of the Settlement Conference, each party shall submit to the Court a confidential Settlement Statement that includes the current status of any and all settlement negotiations, a summary of the parties’ respective positions, and an outline of factual and damage allegations. The parties’ Settlement Statements shall not be filed with the Clerk, but shall be emailed to Chambers at [Barker\\_Chambers@ohnd.uscourts.gov](mailto:Barker_Chambers@ohnd.uscourts.gov). Unless requested by all parties, copies of the Settlement Statements shall not be provided to the other parties in the case.

**IT IS SO ORDERED.**