

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

_____ ,

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. The parties [**have exchanged the pre-discovery disclosures required by Fed. R. Civ. P. 26(a)(1)**] OR [**will exchange the pre-discovery disclosures required by Fed. R. Civ. P. 26(a)(1)**] by _____.]

6. As to Electronically Stored Information, the parties **agree**

_____.

7. **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 _____, [including plaintiff(s)' depositions by _____, defendant(s)' 30(b) depositions by _____, plaintiff(s)' expert reports by _____, defendant(s)' expert reports by _____, and expert depositions by _____.] Plaintiff's Motion for Certification is due _____. Response shall be due no later than _____.

8. **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.

9. **All other 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 _____.

10. **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.

11. 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

12. 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. 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.

Date: March 4, 2021

PAMELA A. BARKER
U. S. DISTRICT JUDGE