

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

Plaintiff(s),	Civil Action No.
v.	Hon.
Defendant(s).	JOINT PROPOSED DISCOVERY PLAN¹

1. Set forth the name of each attorney appearing, the firm name, address and telephone number and facsimile number of each, designating the party represented.
2. Set forth a brief description of the case, including the causes of action and defenses asserted.

(a) Pursuant to L. Civ. R. 16.1(b)(1)(H), set forth whether an Affidavit of Merit has been served, or is required to be served, for any action asserting professional malpractice or negligence and, if an affidavit of merit is required, the date by which it must be served.

Yes _____ No _____ If Yes, Date of Service _____

(b) If an Affidavit of Merit has been served, state whether Defendant has any objections to the adequacy of the Affidavit

Yes _____ No _____

3. Have settlement discussions taken place? Yes _____ No _____

¹ A copy of this form can be located at:
<https://www.njd.uscourts.gov/other-guides>

- (a) Monetary demand: \$ _____
- (b) Non-Monetary demand: _____
- (b) What was defendant's last offer?

- (1) Monetary offer: \$ _____
- (2) Non-monetary offer: _____

- 4. The parties [have _____ have not _____] met pursuant to Fed. R. Civ. P. 26(f):
- 5. The parties [have _____ have not _____] exchanged the information required by Fed. R. Civ. P. 26(a)(1). If not, state the reason therefor.
- 6. Explain any problems in connection with completing the disclosures required by Fed. R. Civ. P. 26(a)(1)
- 7. The parties [have _____ have not _____] filed disclosures of third-party litigation funding. See L. Civ. R. 7.1.1.
- 8. The parties [have _____ have not _____] conducted discovery other than the above disclosures. If so describe.
- 9. Proposed Joint Discovery Plan:
 - (a) Discovery is needed on the following subjects:
 - (b) Discovery [should _____ should not _____] be conducted in phases or be limited to particular issues. Explain.
 - (c) Proposed schedule:
 - (1) Fed. R. Civ. P. 26 Disclosures _____.
 - (2) E-Discovery conference pursuant to L. Civ. R. 26.1(d) _____.
 - (3) Service of initial written discovery _____.
 - (4) Maximum of _____ interrogatories by each party to each other party.
 - (5) Maximum of _____ depositions to be taken by each party.
 - (6) Motions to amend or to add parties to be filed by _____.

(7) Factual discovery to be completed by _____.

(8) Plaintiff's expert report due on _____.

(9) Defendant's expert report due on _____.

(10) Expert depositions to be completed by _____.

(11) Dispositive motions to be filed by _____.

(d) Set forth any special discovery mechanism or procedure requested.

(e) A pretrial conference may take place on _____.

(f) Trial date: _____) (_____ Jury Trial; _____ Non-Jury Trial)

10. Do you anticipate any special discovery needs (i.e., videotape/telephone depositions, problems with out-of-state witnesses or documents, etc.)?

Yes _____ No _____.

If so, please explain.

11. Do you anticipate any issues about disclosure or discovery of electronically stored information, including the form or forms in which it should be produced?

Yes _____ No _____.

If so, how will electronic discovery or data be disclosed or produced? Describe any agreements reached by the parties regarding same, including costs of discovery, production, related software, licensing agreements, etc.

12. Do you anticipate entry of a Discovery Confidentiality Order? See L. Civ. R. 5.3(b) and Appendix S.

Yes _____ No _____.

13. Do you anticipate any discovery problem(s) not listed above? Describe.

Yes _____ No _____.

14. State whether this case is appropriate for voluntary arbitration (pursuant to L. Civ. R. 201.1 or otherwise) or mediation (pursuant to L. Civ. R. 301.1 or otherwise). If not, explain why and state whether any such procedure may be appropriate at a later time (i.e., after exchange of pretrial disclosures, after completion of depositions, after disposition or dispositive motions, etc.).

15. Is this case appropriate for bifurcation? Yes _____ No _____

16. An interim status/settlement conference (with clients in attendance) should be held in _____.

17. We [do _____ do not _____] consent to the trial being conducted by a Magistrate Judge.

18. Identify any other issues to address at the Rule 16 Scheduling Conference.

Attorney(s) for Plaintiff(s) / Date

Attorney(s) for Defendant(s) / Date