

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
\_\_\_\_\_ DIVISION

Plaintiff(s),	)	Civil Action No. _____
	)	
v.	)	<b>AMENDED CONFERENCE AND SCHEDULING ORDER</b>
	)	
Defendant(s).	)	

Pursuant to the Federal Rules of Civil Procedure and the Local Civil Rules of this District, the court hereby establishes the following schedule for this case.

1. Rule 26(f) Conference: A conference of the parties pursuant to Fed. R. Civ. P. 26(f) shall be held no later than \_\_\_\_\_.<sup>1</sup> At the conference, the parties shall confer concerning all matters set forth in Fed. R. Civ. P. 26(f); whether the schedule set forth in this order is appropriate and, if not, what modifications are necessary; and whether a confidentiality order is necessary and appropriate.<sup>2</sup> The parties shall also consider whether they wish to consent to trial before a United States Magistrate Judge. *See* Notice of Availability of United States Magistrate Judge, appended hereto.
  
2. Rule 26(a)(1) Initial Disclosures: The parties shall exchange the required initial disclosures<sup>3</sup> under Fed. R. Civ. P. 26(a)(1) no later than fourteen (14) days after the parties' Rule 26(f) conference unless a different time is set by stipulation or court order.

\_\_\_\_\_  
<sup>1</sup> Plaintiffs' counsel shall initiate scheduling of the Fed. R. Civ. P. 26(f) conference with all counsel known to plaintiff regardless of whether they have filed appearances.

<sup>2</sup> If the parties determine that a confidentiality order is necessary and appropriate, they should utilize the form found on the court's website ([www.scd.uscourts.gov](http://www.scd.uscourts.gov)). Instructions for use of the form order are also located on the website. The parties may propose modifications, but such changes shall be drawn to the court's attention. Queries regarding use of the form should be directed to Judge Lydon's office.

<sup>3</sup> Pursuant to Fed. R. Civ. P. 26(a)(1), the parties may, by stipulation, agree not to make some or all of the Rule 26(a)(1) initial disclosures. If such a stipulation is made, it shall be confirmed in writing between the parties. *See* Fed. R. Civ. P. 29; Local Civil Rule 29.01 (D.S.C.).

3. Rule 26(f) Report: No later than \_\_\_\_\_, the parties shall file a Rule 26(f) Report in the form attached to this order. Parties are hereby notified that Local Civil Rule 26.03 lists additional queriers to be answered in the Rule 26(f) Report.
4. Amendment of Pleadings: Any motions to join other parties and to amend the pleadings shall be filed by \_\_\_\_\_.
5. Expert Disclosures:
  - A. Plaintiff(s) shall file and serve a document identifying by full name, address, and telephone number each person whom Plaintiff(s) expects to call as an expert at trial and certifying that a written report prepared and signed by the expert pursuant to Fed. R. Civ. P. 26(a)(2)(B) or, where allowed, a report prepared by counsel has been disclosed to the other parties by \_\_\_\_\_.
  - B. Defendant(s) shall file and serve a document identifying by full name, address, and telephone number each person whom Defendant(s) expects to call as an expert at trial and certifying that a written report prepared and signed by the expert pursuant to Fed. R. Civ. P. 26(a)(2)(B) or, where allowed, a report prepared by counsel has been disclosed to the other parties by \_\_\_\_\_.
6. Discovery: Discovery shall be completed no later than \_\_\_\_\_. All discovery requests shall be served in time for the responses thereto to be served by this date. De bene esse depositions must be completed by the discovery deadline. **No motions relating to discovery shall be filed until counsel have consulted and attempted to resolve the matter as required by Local Civil Rule 7.02 (D.S.C.) and have had a telephone conference with Judge Lydon in an attempt to resolve the matter informally. The request for a telephone conference should be made within the time limit prescribed by local rule for filing such a motion. Attorneys should send a request for a telephone conference via e-mail to [lydon\\_ecf@scd.uscourts.gov](mailto:lydon_ecf@scd.uscourts.gov).** The parties shall set forth their respective positions in their request.
7. Motions: All dispositive motions, *Daubert* motions, and all other motions, except those to complete discovery, those nonwaivable motions made pursuant to Fed. R. Civ. P. 12, and those relating to the admissibility of evidence at trial (other than *Daubert* motions), shall be filed on or before \_\_\_\_\_.
8. Mediation: Mediation shall be completed in this case on or before \_\_\_\_\_. See Judge Lydon's Standing Order to Conduct Mediation (setting forth mediation requirements).
9. Pretrial Disclosures: No later than \_\_\_\_\_ the parties shall file and exchange Fed. R. Civ. P. 26(a)(3) pretrial disclosures. Within 14 days thereafter, a party shall file and exchange Fed. R. Civ. P. 26(a)(3) objections, any objections to use of a deposition designated by another party, and any deposition counter-designations under

Fed. R. Civ. P. 32(a)(6). Deposition designations and counter-designations must specifically identify the portions to be offered, including page and line citations.

10. Trial: This case will go to trial during the \_\_\_\_\_ term of court. Counsel, parties, and witnesses should plan their schedules, including vacations, accordingly.

The parties' attention is specifically directed to Local Civil Rule 5.03 (D.S.C.) regarding the filing of confidential material. The parties' attention is also directed to the court's website regarding instructions or other orders that may be applicable to your case.

\_\_\_\_\_  
Sherri A. Lydon  
United States District Judge

Dated: \_\_\_\_\_  
Columbia, South Carolina