[INSERT CASE CAPTION HERE]

Complex Pathway Proposed Case Management Order

1. **Statement of Claims**
	1. [Insert a statement of plaintiff's claims, including the legal theories and facts upon which the claims are based. This must not exceed one page.]
	2. [Insert a responsive statement of defendant's claims or defenses, including the legal theories and facts upon which the claims are based. This must not exceed one page.]
	3. [Insert a list of all related litigation pending in other courts, a brief description of such litigation, and a statement as to whether any additional related litigation is anticipated.]
2. **Pretrial Pleadings and Disclosures**
	1. All parties must file preliminary witness and exhibit lists by \_\_\_\_\_\_\_\_\_\_\_\_\_\_ [Typically, no later than 3 months from the filing of the complaint].
	2. All motions for leave to amend the pleadings and/or to join additional parties must be filed by [Typically 3 to 4 months from the filing of the complaint].
	3. Plaintiff(s) must serve Defendant(s) (but not file with the Court) a settlement demand, by
	 [Typically no later than 4 months from the filing of the complaint]. Defendant(s) must serve Plaintiff(s) (but not file with the Court) a response thereto within 30 days after receipt of the demand.
	4. If a party intends to use expert testimony in connection with a motion for summary judgment to be filed by that party, such expert disclosures must be served on opposing counsel no later than 60 to 90 days before the dispositive motion deadline. If such expert disclosures are served the parties must confer within 7 days to stipulate to a date for responsive disclosures (if any) and completion of expert discovery necessary for efficient resolution of the anticipated motion for summary judgment. The parties must make good faith efforts to avoid requesting enlargements of the deadline for dispositive motions and related briefing. Any proposed modifications of these deadlines or briefing schedule must be approved by the Court.
	5. Any party who believes that bifurcation of discovery and/or trial is appropriate with respect to any issue or claim must notify the Court as soon as practicable.
	6. Discovery Plan:
3. \_\_\_\_\_ Supplemental Discovery Plan filed herewith.
4. \_\_\_\_\_ No Discovery Plan in place

**3. Dispositive Motions**

[Select the track that best suits this case:]

\_\_\_\_\_ No dispositive motions are anticipated. All discovery must be completed by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [no later than 6 months from the filing of the complaint]. [Consider setting a trial date (jury or bench) at the Initial Case Management Conference].

\_\_\_\_\_ Dispositive motions are expected and must be filed by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [no later than 6 to 8 months from the filing of the complaint]. The parties shall address the need for sequencing of dispositive motions and the parties shall agree a schedule for that sequencing concerning specifically identified issues.

**4. Mediation**

* 1. This matter is ordered to mediation. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is appointed as mediator. Absent leave of Court, mediation must occur prior to \_\_\_\_\_\_\_\_\_\_\_\_\_ [date].
	2. All parties, their attorneys, representatives with full settlement authority, and other individuals necessary for resolution of all disputed issues shall be present at each mediation conference unless excused by the mediator or the Court. The Court or the mediator shall determine the individuals who shall be present at any mediation session.
	3. At least 7 days prior to the mediation conference, each side shall submit to the mediator a Confidential Statement of the Case, not to exceed 10 pages. It shall include:
		1. The legal and factual contentions of the respective parties as to both liability and damages;
		2. The factual and legal impediments to settlement; and
		3. The status of the settlement negotiations to date.
		4. The confidential statement may be supplemented upon request of the mediator to both parties.
	4. The mediator shall file a report with the Court not later than 90 days from the date the mediator was selected informing the Court of the status of the mediation process.
		1. Report of Mediation:
			1. If the parties do not reach an agreement as to any matter, the mediator shall report the lack of any agreement to the Court without any comment or recommendation.
			2. If an agreement is reached, the mediator shall promptly report the fact of the agreement to the Court; and the agreement shall be reduced to writing and signed by the parties. If the agreement is complete on all issues, it shall be accompanied by a joint stipulation and recommendation of disposition.
1. **Trial**
	1. Trial is set for \_\_\_\_\_\_ day(s) beginning on the \_\_\_ day of \_\_\_\_\_\_\_\_, 20\_\_\_ at \_\_\_\_\_\_\_ a.m./ p.m.
	2. Pretrial Motions**.** Any motions which require a pretrial hearing such as motions in limine, or challenges to experts shall be filed no later than \_\_\_\_\_\_\_\_\_\_\_. Any motion not otherwise addressed shall be addressed at the final pre-trial conference. No pretrial motions will be heard on the morning of trial.
	3. Stipulations and Exhibit Book**.** Written stipulations shall be prepared with reference to all exhibits exchanged or identified. The Court orders counsel to create a single exhibit book for use by the Court/Judge during the trial, and to stipulate to its admission into evidence, to the extent possible.
	4. Jury Instructions. Proposed instructions shall be submitted two (2) weeks prior to trial. Supplements may be made thereafter.

**5. Court Dates**

[Insert any other matters any party believes should be brought to the Court's attention]

The Court schedules the following hearing dates:

1. Status conference: [insert status conference date here]
2. Pre-trial conference: [insert pre-trial conference date here]
3. Hearing on Motion to Dismiss: [insert dismissal hearing date here]
4. Hearing on Motion for Summary Judgment: [insert summary judgment hearing date here]
5. Hearing on other motions: [insert other hearing dates here]

[The parties shall state which hearings are required].

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attorney for Plaintiff Attorney for Defendant

**Approved and So Ordered.**

\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_, 20\_\_\_

**JUDGE**