

## **Amend Local Rule 26.1**

The section of LR 26.1 now reads:

### **LR 26.1 Time Limitations.**

Discovery shall proceed as follows:

(a) The parties shall confer as provided in Fed. R. Civ. P. 26(f) by the earlier of (i) 20 days after the filing of the last answer of the defendants named in the original complaint or (ii) 45 days after the first appearance by answer or motion under Fed. R. Civ. P. 12 of a defendant named in the original complaint.

(b) Within 10 days after the required conference pursuant to Fed. R. Civ. P. 26(f), the parties shall submit to the Court a written report outlining their proposed discovery plan. This report shall conform to the language and format of the standard form included in the Appendix of Forms to these rules (and furnished by the Clerk to the plaintiff upon the filing of the complaint).

(e) In removed cases, the Fed. R. Civ. P. 26(f) conference shall be held within 20 days of the date of filing of the notice of removal or within 20 days of filing of the last answer of the defendants, whichever is later but in no event later than 45 days after the first appearance by answer or motion under Fed. R. Civ. P. 12 of a defendant named in the original complaint.

(f) In cases transferred from another district, the Fed. R. Civ. P. 26(f) conference shall be held within twenty days of the docketing of the case in this district.

The rule is amended to read:

### **LR 26.1 Time Limitations.**

Discovery shall proceed as follows:

(a) The parties shall confer as provided in Fed. R. Civ. P. 26(f) by the earlier of (i) 21 days after the filing of the last answer of the defendants named in the original complaint or (ii) 45 days after the first appearance by answer or motion under Fed. R. Civ. P. 12 of a defendant named in the original complaint.

(b) Within 14 days after the required conference pursuant to Fed. R. Civ. P. 26(f), the parties shall submit to the Court a written report outlining their proposed discovery plan. This report shall conform to the language and format of the standard form included in the Appendix of Forms to these rules (and furnished by the Clerk to the plaintiff upon the filing of the complaint).

(e) In removed cases, the Fed. R. Civ. P. 26(f) conference shall be held within 21 days

of the date of filing of the notice of removal or within 21 days of filing of the last answer of the defendants, whichever is later but in no event later than 45 days after the first appearance by answer or motion under Fed. R. Civ. P. 12 of a defendant named in the original complaint.

(f) In cases transferred from another district, the Fed. R. Civ. P. 26(f) conference shall be held within 21 days of the docketing of the case in this district.

All other sentences of the rule will remain unchanged. Change is in effect December 1, 2009.

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### **Amend Local Rule 26.3.**

The section of LR 26.3 now reads:

#### **LR 26.3** Discovery Motions.

Unless otherwise ordered by the assigned Judge, all discovery motions in civil cases shall be automatically referred to the appropriate United States Magistrate Judge. Upon referral, the Magistrate Judge shall promptly enter an order which shall be final unless a party seeks review of the order by the assigned Judge by motion filed within ten (10) days of the Magistrate Judge's order.

The rule is amended to read:

#### **LR 26.3** Discovery Motions.

Unless otherwise ordered by the assigned Judge, all discovery motions in civil cases shall be automatically referred to the appropriate United States Magistrate Judge. Upon referral, the Magistrate Judge shall promptly enter an order which shall be final unless a party seeks review of the order by the assigned Judge pursuant to Fed. R. Civ. P. 72.

All other sentences of the rule will remain unchanged. Change is in effect December 1, 2009.

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