



**The Honorable Ortrie D. Smith
United States District Court
Western District of Missouri**

Procedures for Proposed Scheduling Orders

As provided in Rule 26(f) of the Federal Rules of Civil Procedure and Local Rules 16.1 and 26.1(a), the parties shall meet to discuss the possibilities for promptly settling or resolving the case, make or arrange for Rule 26.1(a)(1) disclosures, discuss issues about preserving discoverable information, and develop a proposed discovery plan. This meeting shall take place no later than fourteen days before the proposed scheduling order is due. Discovery shall commence immediately after this Rule 26(f) conference is held.

The parties will be responsible for filing one, joint Proposed Scheduling Order, signed by both parties. This document must be filed on ECF (see Other Filings – Other Documents – Proposed Scheduling Order) and should be signed by both parties (unless there is no agreement as to the proposed scheduling order). There is no required form the parties must use; however, the Proposed Scheduling Order must include proposed dates or deadlines for the following:

- (1) Adding parties,
- (2) Amending pleadings,
- (3) Designating experts,
- (4) Completion of discovery,
- (5) Dispositive motions,
- (6) Daubert motions, and
- (7) Trial date, including length of trial and whether it will be a bench or jury trial.

The following chart provides guidance as to Judge Smith's expectations for the parties proposed dates.

Matter	Timeframe
Adding parties and amending pleadings	Must be before the close of discovery.
Designation of Experts	Plaintiff's designation occurs approximately three months prior to the close of discovery; Defendant's designation occurs approximately thirty days after Plaintiff's designation.
Discovery Completion Deadline	Six months after Rule 26(f) meeting.
Dispositive Motion Deadline	Thirty days after the close of discovery.
<u>Daubert</u> Motion Deadline	Thirty days after the close of discovery.
Pretrial Date	Approximately four weeks prior to trial.
Trial Date	Approximately four months after the dispositive motion deadline.

For details regarding deadlines set relative to the pretrial conference and trial, as well as general procedures to be followed when practicing in this division, please refer to the sample scheduling order and rules of trial provided on Judge Smith's webpage: <http://www.mow.uscourts.gov/judges/smith.html>.