United States District Court

District of South Carolina

\_\_\_\_\_\_\_\_\_\_ Division

|  |  |
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| ,  Plaintiff  v.  ,  Defendant | Case No. \_\_\_\_\_\_\_\_\_\_ |
| **Amended Scheduling Order** |

Pursuant to the Federal Rules of Civil Procedure and the Local Civil Rules of this Court, the following schedule is established for this case:

1. Motions to join other parties and amend the pleadings shall be filed by **[DATE]**.
2. Plaintiff shall file and serve a document identifying by full name, address, and telephone number each person whom Plaintiff expects to call as an expert at trial and certifying that a written report prepared and signed by the expert pursuant to Rule 26(a)(2)(B) or, where allowed, a report prepared by counsel has been disclosed to the other parties by **[DATE]**.
3. Defendant shall file and serve a document identifying by full name, address, and telephone number each person whom Defendants expect to call as an expert at trial and certifying that a written report prepared and signed by the expert pursuant to Rule 26(a)(2)(B) or, where allowed, a report prepared by counsel has been disclosed to the other parties by **[DATE]**.
4. Discovery shall be completed by **[DATE]**. 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 fact 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.**

1. All other motions, except those to complete discovery, those nonwaivable motions made pursuant to Rule 12, and those relating to the admissibility of evidence at trial, shall be filed by **[DATE]**. See Paragraph 9 for motions *in limine* deadline.
2. Mediation, pursuant to Local Civil Rules 16.04–16.12, shall be completed in this case by **[DATE]**.[[1]](#footnote-1) At least 28 days prior to this deadline, counsel for each party shall file and serve a statement certifying that counsel has:
   1. provided the party with Judge Wooten’s Standing Order to Conduct Mediation referenced in footnote 1;
   2. discussed the availability of mediation with the party; and
   3. discussed the advisability and timing of mediation with opposing counsel.[[2]](#footnote-2)
3. Counsel shall file and serve affidavits of records custodian witnesses proposed to be presented by affidavit at trial by **[DATE]**. Objections to such affidavits must be made within 14 days after the service of the disclosure. See Rules 803(6), 902(11), or 902(12) of the Federal Rules of Evidence, and Local Civil Rule 16.02(D)(3).
4. The parties shall file and exchange Rule 26(a)(3) pretrial disclosures by **[DATE]**. Within 14 days after service of the disclosures, the parties shall file and exchange any Rule 26(a)(3) objections, any objections to use of a deposition designated by another party, and any deposition counter-designations under Rule 32(a)(4).
5. Motions *in limine* must be filed at least 7 days prior to jury selection.
6. Parties shall furnish the Court pretrial briefs at least 7 days prior to jury selection pursuant to Local Civil Rule 26.05. Attorneys shall meet at least 7 days prior to the date set for submission of pretrial briefs for the purpose of exchanging and marking all exhibits pursuant to Local Civil Rule 26.07.
7. This case is subject to being called for jury selection and trial on or after **[DATE]**.

**IT IS SO ORDERED**.

Terry L. Wooten

Senior United States District Judge

October 8, 2021

Columbia, South Carolina

1. Judge Wooten’s Standing Order to Conduct Mediation, which sets forth additional mediation requirements applicable to the case, is available at www.scd.uscourts.gov. [↑](#footnote-ref-1)
2. The ADR Statement and Certification form is available at www.scd.uscourts.gov. [↑](#footnote-ref-2)