

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

In re:)	
)	
)	Case No.
Debtor(s).)	Chapter
)	
_____)	
)	
)	
Plaintiff(s),)	
)	
v.)	Adversary No.
)	
)	
Defendant(s).)	
_____)	

SCHEDULING ORDER

1. The last date to join another party to this adversary proceeding is: _____ . The last date to request an amendment of the pleadings is: _____ . Any party filing a motion to amend a pleading that requires leave of court shall attach to that motion a signed copy of the proposed pleading. The Clerk will separately docket the pleading if the court grants the motion.

2. The parties shall complete all discovery by _____ . “Complete” means that the parties must serve and/or file all discovery, objections, motions to compel, and all other motions and replies relating to discovery in this proceeding in time for the party objecting or responding to have an opportunity under the Federal Rules of Civil Procedure to make responses. Parties shall make expert testimony disclosures under Fed. R. Civ. P. 26(a)(2) **not later than twenty-one days before the conclusion of discovery.**

The parties have a continuing obligation, as provided in Fed. R. Civ. P. 26(e), to

supplement their responses beyond the discovery deadline.

3. This court encourages mediation as a method to resolve the claims in this proceeding. The parties may confer at any time to consider whether this proceeding would benefit from mediation. Thereafter, the parties shall inform the court if mediation is desired and whether the parties will employ a private mediator or would like the court's assistance in obtaining a court-facilitated mediator. Additionally, the court may, in its discretion, order alternative dispute resolution at any time. If the parties employ a private mediator, counsel for the plaintiff (or counsel for a defendant if the plaintiff is *pro se*) shall instruct the mediator to complete the mediation report form (which is available on the court's website) and submit it to the clerk's office within **fourteen** days following the mediation. Unless otherwise ordered by the court, mediation does not stay the deadlines set forth in this Preliminary Scheduling Order.

4. All dispositive motions, as well as evidence in support thereof, shall be filed with the court and served upon opposing counsel by _____ . Any such motion must be supported by a memorandum. Parties, through counsel, are encouraged to meet and enter stipulations of facts in conjunction with dispositive motions. Any such stipulation shall be reduced to writing and signed by both parties, or their respective counsel, and filed with the Clerk. Memoranda in opposition to dispositive motions shall be filed with the Clerk and served upon opposing counsel within **twenty-one** days after service of the motion. Any reply memoranda shall be filed with the court and served upon opposing counsel no later than **seven** days after the date of service of the response to the motion.

Factual assertions made in memoranda should be supported by specific references, including page or paragraph numbers, to affidavits, depositions, or other documents made a part of the record before the court. Copies of the supporting documents should be appended to the memoranda.

Upon the court's adjudication of dispositive motions, the court will schedule a final pretrial conference and set additional deadlines related thereto. If the parties do not file dispositive motions by the deadline set forth in Paragraph 4, the court will subsequently schedule a final pretrial conference.

Submitted By: