

**LOCAL RULES OF THE UNITED STATES
DISTRICT COURTS FOR THE NORTHERN
AND SOUTHERN DISTRICTS OF IOWA**

Effective January 1, 2006

N.D. Administrative Order Number 06 - AO - 0001-P

S.D. Administrative Order Number 06 - AO - 0001-P

LR 26.1 PRETRIAL DISCOVERY AND DISCLOSURES

a. Fed. R. Civ. P. 26(a)(1): Initial Disclosures. Unless otherwise stipulated by the parties, or unless a party objects to making the disclosures or to the timing of the disclosures, the parties must make the Federal Rule of Civil Procedure 26(a)(1) initial disclosures within 14 days after the conference held pursuant to Federal Rule of Civil Procedure 26(f) and section “d” of this rule. Any objections to making the initial disclosures or to the timing of the initial disclosures must be made during the Rule 26(f) conference and memorialized with particularity in a document filed within 14 days after the scheduling order and discovery plan is filed.

Initial disclosures must not be filed with the Clerk of Court unless filing is required specifically by the Federal Rules of Civil Procedure or by Local Rules 37.1.b or 56.1. Initial disclosures are not required in cases where, under Local Rule 16.1.d, no scheduling order and discovery plan is required to be submitted.

b. Fed. R. Civ. P. 26(a)(2)(A) and (B): Disclosure of Expert Testimony. Unless otherwise stipulated by the parties, the parties must, on or before the deadlines for disclosing expert witnesses established by the Rule 16(a) and 26(f) scheduling order and discovery plan, disclose their expert witnesses in accordance with the requirements of Federal Rule of Civil Procedure 26(a)(2)(A) and (B).

Expert witness disclosures must not be filed with the Clerk of Court unless filing is required specifically by the Federal Rules of Civil Procedure or by Local Rules 37.1.b or 56.1.

c. Fed. R. Civ. P. 26(a)(3): Pretrial Disclosures. Witness and exhibit disclosures under Federal Rule of Civil Procedure 26(a)(3)(A), (B), and (C) must be served at least 21 days before the final pretrial conference, as required by Local Rule 16.2.c. These disclosures need not be filed. Objections to these disclosures must be made in the proposed final pretrial order submitted pursuant to Local Rule 16.2.b.

d. Fed. R. Civ. P. 26(f): Meeting of Parties. At least 14 days before the proposed scheduling order and discovery plan is due pursuant to Local Rule 16.1.a, the parties must, as required by Federal Rule of Civil Procedure 26(f), confer to do the following:

1. Consider the nature and bases of their claims and defenses and the possibilities for a prompt settlement or resolution of the case;
2. Make or arrange for the disclosures required by Federal Rule of Civil Procedure 26(a)(1); and
3. Develop a proposed discovery plan.

Unless otherwise stipulated by the parties, the Rule 26(f) discovery plan conference should be combined with the Rule 16(b) scheduling order conference.

e. Discovery Plan. The Federal Rule of Civil Procedure 26(f) requirement that the parties submit to the court a written report outlining their discovery plan is satisfied by the submission to the Clerk of Court of a properly completed scheduling order and discovery plan form.