

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**NOTICE OF PROPOSED LOCAL RULE CHANGE
AND OPPORTUNITY TO COMMENT**

Pursuant to Local Civil Rule 1.1(b) and Local Criminal Rule 1.1, the United States District Court for the District of Columbia is publishing for comment a proposed change to one Local Rule.

The proposed rule change, which is set forth below, will be adopted and become effective unless modified or withdrawn by the Court after receiving comments from organized bar associations, members of the bar and public. Such comments must be made in writing within 45 days of the publication of this Notice and should be addressed to Kevin M. Hodges, Esq., Chairman, Advisory Committee on Local Rules, Williams & Connolly LLP, 725 Twelfth St., N.W., Washington DC 20005.

Angela D. Caesar, Clerk

[New language is underlined]

LCvR 16.3

DUTY TO CONFER

(d) REPORT TO THE COURT AND PROPOSED ORDER.

Not later than 14 days following the conference required by this Rule, the attorneys of record and all unrepresented parties that have appeared in the case shall submit to the Court a written report outlining the discovery plan and including a succinct statement of all agreements reached with respect to any of the 16 matters set forth in paragraph (c), a description of the positions of each party on any matters as to which they disagree, and a proposed scheduling order. Pursuant to Fed. R. Civ. P. 73(b)(1), however, the parties' report shall not indicate their respective positions on assignment to a magistrate judge unless all parties agree to such assignment. The report shall be submitted jointly, but the parties may submit alternative proposed orders that reflect any disagreements. The plaintiff shall have the duty to ensure timely filing of the report. If, by the time the report is due, any defendant has not responded to the plaintiff's proposed report or declines to join in the report, the plaintiff shall certify in the report that efforts were made to secure that defendant's participation.

If necessary to comply with its expedited schedule for Rule 16(b) conferences, a court may require the written report outlining the discovery plan be filed fewer than 14 days after the conference between the parties, or excuse the parties from submitting a written

report and permit them to report orally on their discovery plan at the Rule 16(b) conference as per Fed. R. Civ. P. 26(f).