

**STANDARD PROCEDURES FOR DISCOVERY DISPUTES AND SETTLEMENT
CONFERENCES IN CIVIL CASES
UNITED STATES MAGISTRATE JUDGE
CHRISTOPHER L. RAY**

United States District Court – Southern District of Georgia
8 Southern Oaks Court
Savannah Ga, 31405

Molly Davenport, Courtroom Deputy Clerk
Office: (912-650-4035)
e-mail: molly_davenport@gas.uscourts.gov

I. Informal Discovery Conferences

- a. Before filing a discovery motion, a party must first receive permission from the Court following an informal discovery dispute video conference.¹ Any party wishing to schedule such a conference should file their Motion for an Informal Discovery Dispute Conference.² The form is available on the Court's website. The motion shall advise the Court of at least three distinct, mutually-agreeable, dates and times within a two-week period from the date of filing the motion upon which to conduct the conference. The Court will set the conference as soon as possible, taking into consideration the urgency of the issue, on a date and time convenient for the parties and Court.
- b. At least 24 hours before the conference, the parties shall submit letter briefs, outlining their individual positions regarding the dispute and identifying which counsel and parties (if any) will appear for the telephonic conference. Such letters should be no longer than three pages single-spaced, and may include up to ten pages of exhibits. Because the parties will have met and conferred to narrow their dispute prior to contacting the Court, this page limitation should provide adequate room to fully capture their dispute. The parties' letter briefs should be factual and non-argumentative. These letters shall be addressed to Judge Ray and submitted to the courtroom deputy clerk via email to molly_davenport@gas.uscourts.gov and not filed on the docket. They shall also be served on counsel for all other parties. At the conference, the Court will consider *only* the disputes outlined in those letters. Parties

¹ This procedure applies to motions filed pursuant to Federal Rule of Civil Procedure 37, but is also applicable to motions for a protective order pursuant to Rule 26 and motions to quash / compel a subpoena—if the place of compliance is this District—pursuant to Rule 45. This procedure does not apply to those proceedings exempt from initial disclosure under Rule 26(a)(1)(B), cases where there is at least one unrepresented party, or *Daubert* motions and motions to strike experts. However, the Court may at its discretion apply this procedure to any discovery dispute regardless of case type upon notice to the parties.

² Please file this motion on ECF by navigating to Civil – Motions – Motion for Informal Discovery Dispute Conference.

should be prepared to outline *all* pending discovery issues. Failure to raise existing discovery disputes at this time may result in the Court determining that those disputes have been waived.

- c. The conference will not be on the record, and the Court may not issue a written ruling and may choose to merely memorialize the conference as a text entry on the docket. If, upon the conclusion of the conference, the parties are unable to resolve their dispute, they shall have ten days to file a discovery motion upon the docket.
- d. Parties should be aware that the Court expects the parties and/or their counsel to have met and conferred prior to seeking this informal discovery resolution process in accordance with LR 26.5. This requirement anticipates that the parties will actually speak with each other about the discovery dispute. This requirement may be accomplished in person, over the telephone, or through video conferencing.

II. Settlement Conferences

- a. Upon consent, the parties may file a motion with the Court requesting a court-directed settlement conference with Judge Ray. Along with their motion, the parties should provide at least four mutually-agreeable dates falling no later than 2 months from the date the motion is filed.
- b. In addition to counsel, all parties (including at least one individual with full and complete authority to settle) shall appear personally for settlement conferences. The Court will only consider appearance of a party by remote means for good cause.
- c. At least one week prior to the settlement conference, the parties should jointly submit the Court's "Settlement Conference Worksheet" to the courtroom deputy clerk via email. This document should not be filed upon the docket. The Court does not require written settlement conference statements but may request them in particular cases. If the Court determines that settlement conference statements are required, it will notify the parties at least 48 hours in advance of the conference. Such statements are subject to the length and exhibit requirements in section I(b) *supra*. The Court may also set a phone or video conference with counsel in advance of the settlement conference on a case-by-case basis.
- d. The case must be ready for meaningful settlement discussions. The Court expects that the parties will appear in good faith to settle.

III. Informal Requests

- a. This Court is a motions court. Judge Ray will **NOT** consider informal requests to the courtroom deputy clerk or chambers for rulings on any issues—including requests for extensions of time—other than those outlined above. Likewise, the Court does not accept letter briefs with the exception of the procedures set forth in paragraphs I and II, above concerning informal discovery conferences and settlement conferences / mediation. If any party desires a ruling—of any kind—that party should file a motion on the docket.