

CHAMBERS OF THE HONORABLE JOAN B. GOTTSCHALL

United States District Court
219 South Dearborn Street – Suite 2502
Chicago, Illinois 60604
(312) 435-5640

March, 2024

Counsel and Parties:

Please pay particular attention to the court's policies concerning the exchange of discovery and the court's requirement that counsel meet to explore settlement prior to the filing of the first status report. It is the responsibility of plaintiff's counsel to set up this preliminary meeting and to ensure that opposing counsel is directed to my online case management packet.

These procedures have been designed to facilitate the prompt, efficient, and equitable disposition of cases on my docket. Their success depends on your willingness to familiarize yourself and act in conformity with them.

Joan B. Gottschall
United States District Judge

Honorable Joan B. Gottschall
Courtroom Deputy Marlan Cowan – Room 2516A
Case Management Packet

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I. FILING OF COMPLAINT AND INITIAL STATUS REPORT

In most cases, the court will order the filing of a status report within approximately sixty days of the filing of the complaint. If, by the due date of the scheduled status report, defendants have not been served, plaintiff should send an email to the chambers email account, chambers_gottschall@ilnd.uscourts.gov, to reset the status date.

In the joint initial status report the parties will:

- identify the attorneys of record for each party and identify the lead attorney for each party;
- state the basis of this court's subject matter jurisdiction;
- briefly describe the nature and scope of the case, the principal legal issues, and the principal factual issues;
- identify any party who has not yet been served in accordance with Federal Rule of Civil Procedure 4 and indicate when service is expected to be completed;
- state whether the parties consent to the reassignment of the case to the designated magistrate judge;
- state whether a jury trial has been demanded or is expected by any party;
- describe any discovery that has occurred and any anticipated in the future;
- identify settlement opportunities;
- except in classes of cases exempted by Local Rule 16.1.1(b), propose a discovery schedule complying with Federal Rule of Civil Procedure 16(b)(3), including proposed deadlines for joining parties, amending pleadings, completing discovery, and filing dispositive and other motions; and
- propose a deadline for filing the next status report.

The court requires that plaintiff's counsel schedule a preliminary meeting with opposing counsel, approximately fourteen days prior to the scheduled status report, to explore settlement opportunities and identify areas of agreement. The Federal Rules' initial disclosure fourteen-day clock begins to run at the time of the preliminary meeting. See Fed. R. Civ. P. 26(a)(1). Plaintiff's counsel shall advise opposing counsel to review Judge Gottschall's civil case management packet which is located on the court's website at: <http://www.ilnd.uscourts.gov>.

The court recognizes that in some cases counsels' preliminary meeting may take place before defendants have filed an answer to the complaint. However, the court expects all defendants who have been served to participate in this process regardless of whether they have filed an answer.

Counsel in cases removed from another court should follow these procedures to the extent applicable.

II. SUBSEQUENT STATUS REPORTS

Status reports shall be as concise as possible and shall:

- address the progress of discovery.
- address the status of briefing on any unresolved motions.
- address settlement efforts.
- provide an agreed proposed schedule (or alternative proposals) for the next period of 45 to 60 days; if appropriate, the report shall propose a deadline to file the next status report.
- provide an agreed proposed revised discovery and dispositive motion schedule (or alternative proposals) in cases where the current schedule needs revision.
- request any agreed action that the court can take without a hearing.
- state whether the parties believe a telephonic hearing with the judge is necessary and time urgent, and, if so, identify the issue that warrants discussion.

III. PAPER (COURTESY) COPIES DELIVERED TO ROOM 2516A UPON REQUEST

Paper copies are no longer required. If the court needs paper copies, it will notify counsel.

When a paper copy is requested, the party submitting it must:

- attach a cover letter identifying the case name, case number, and docket number of the filing(s) included in the paper copy.
- deliver the paper copy to the courtroom deputy's office, Room 2516A. Do not bring paper copies to chambers.
- print the paper copy, single-sided on opaque, unglazed, 8.5 x 11-inch, white paper.

- bind and tab the paper copy:
 - acceptable binding methods include secure staples, comb-binding, and three-ring binders.
 - unacceptable binding methods include binder clips, paper clips and rubber bands.

IV. CASE RELATED COMMUNICATION

Court staff are prohibited from communicating with attorneys and parties about substantive matters, whether by telephone or email. Such matters are to be addressed only in court filings or on-the-record hearings. If communication is necessary for scheduling, administrative, or emergency purposes, the court strongly prefers email communication to chambers_gottschall@ilnd.uscourts.gov with a copy to all parties and counsel of record. THIS EMAIL ADDRESS IS NOT TO BE USED FOR FILINGS, PROPOSED ORDERS, OR ANY COMMUNICATION REGARDING SUBSTANTIVE MATTERS. Proposed orders are to be sent to: proposed_order_gottschall@ilnd.uscourts.gov.

V. MOTION PRACTICE

A. Scheduling Motions

Motions should not be noticed for hearing but instead should simply be filed. If a motion has not been addressed by either a ruling or the setting of a briefing schedule within a reasonable time after the motion is filed, normally three business days, counsel may inquire about the motion by sending a message to chambers_gottschall@ilnd.uscourts.gov.

B. Unopposed Motions

A party filing a routine motion (such as a motion for an extension of time) should attempt to secure the opposing party's agreement to the motion. Unopposed motions should indicate the lack of opposition in the motion's title, such as "Plaintiff's Unopposed Motion for an Extension of Time."

C. Emergency Motions

A time-sensitive motion must include the word "emergency" in its title, such as "Plaintiff's Emergency Motion for a Temporary Restraining Order."

D. Citations to Authority

Any citation to authority, whether to case law, statute, regulation,

administrative opinion, or other material must be as specific as possible. For example, a broad citation to Tamayo v. Blagojevich, 526 F.3d 1074 (7th Cir. 2008) is insufficient; that opinion spans 23 pages, and a citation to the entire opinion does little to focus the parties and the court on the specific authority that opinion provides. Therefore, a party citing Tamayo for the proposition that, in considering a motion to dismiss the complaint based on Federal Rule of Civil Procedure 12(b)(6), the court construes the complaint in the light most favorable to the plaintiff, should cite Tamayo v. Blagojevich, 526 F.3d 1074, 1081 (7th Cir. 2008).

If a party relies on an unpublished order, transcript, or opinion (meaning not available on a commonly used electronic data base), a copy should be attached to its pleading.

E. Discovery Motions
Meeting Requirement

The court encourages the parties to work out discovery disputes and discourages the filing of discovery motions. Discovery disputes are resolved without briefing when possible. The court reserves the right to set a briefing schedule.

With regard to the filing of motions for discovery and production of documents under Rules 26-37 of the Federal Rules of Civil Procedure, the court will not hear or consider any discovery motions unless the parties have complied with Local Rule 37.2, which provides:

Motions for Discovery and Production

To curtail undue delay and expense in the administration of justice, this court shall hereafter refuse to hear any and all motions for discovery and production of documents under Rules 26 through 37 of the Federal Rules of Civil Procedure, unless the motion includes a statement (1) that after consultation in person or by telephone and good faith attempts to resolve differences they are unable to reach an accord, or (2) counsel's attempts to engage in such consultation were unsuccessful due to no fault of counsel's. Where the consultation occurred, this statement shall recite, in addition, the date, time and place, of such conference and the names of all parties

participating therein. Where counsel was unsuccessful in engaging in such consultation, the statement shall recite the efforts made by counsel to engage in consultation.

In addition, in any case in which a Rule 37.2 consultation was had, the movant's 37.2 statement shall include a brief, non-argumentative description of the position taken by each party on each contested matter.

Counsel are advised that overbroad discovery requests may be denied categorically, and overbroad objections may be categorically overruled.

F. Depositions

Ordinarily, disputes should not arise during depositions. When disputes arise during depositions, counsel should place a conference call to chambers, and the court will, if available, rule on such disputes on the record over the telephone, or if not available, refer the dispute to the assigned magistrate judge.

G. Extensions of Time

Any party seeking an extension of any date set by order of the court or by any court rule should file a written motion to extend the date before the scheduled date arrives. Parties who allow a scheduled date to lapse without action risk sanctions if the opposing party is forced to move to compel compliance with the schedule.

H. Requesting a Hearing

Any party may request a hearing, preferably by teleconference, by filing a written request and briefly explaining why a hearing is necessary.

VI. DISCOVERY CUT-OFF DATES

All discovery should be commenced in time to allow a reasonable opportunity for a response prior to a scheduled discovery cut-off date.

VII. CONSENT TO PROCEED BEFORE U.S. MAGISTRATE JUDGE

Too often litigants are unaware of the efficiencies to be gained by having their cases tried before United States Magistrate Judges. Magistrate judges are in a much better position than district judges to schedule and adhere to firm trial dates and can often provide a trial date more expeditiously. They are empowered to conduct both bench and jury trials and are experienced in doing

so. The court strongly encourages counsel to inform their clients of this option, and to discuss it with opposing counsel. The magistrate judge consent form is available at: <http://www.ilnd.uscourts.gov/assets/documents/forms/PUBLIC/Forms/consent.pdf>. If the parties consent to proceed before a magistrate judge, they can simply file the signed consent form via CM/ECF and the case will be reassigned.

VIII. SUMMARY JUDGMENT MOTIONS

Judge Gottschall's Standing Order Regarding Motions for Summary Judgment is available online at Judge Gottschall's webpage at: [http://www.ilnd.uscourts.gov/judge-info.aspx?AYKasbtMpJs=.](http://www.ilnd.uscourts.gov/judge-info.aspx?AYKasbtMpJs=)

Local Rule 56.2. Any party moving for summary judgment against an unrepresented party shall serve the unrepresented party with its summary judgment papers and copies of Federal Rule of Civil Procedure 56, Local Rule 56.1, the Local Rule 56.2 notice and Judge Gottschall's Standing Order Regarding Motions for Summary Judgment. The moving party must also file the Local Rule 56.2 notice, with a certificate of service on the unrepresented party.