

CASE SCHEDULING ORDER
(All Civil Cases)

Event	Date	Time
ADR Pretrial	Wednesday,	11:00 a.m.
Pretrial	Wednesday,	11:30 a.m.
Trial	Monday,	9:30 a.m.

Pursuant to MCR 2.301(A) and MCR 2.401(B)(2):

1. **Information on the Web.** You may obtain more information about Judge Schmucker's procedures by going to <http://www.co.jackson.mi.us/schmucker/>. The information available includes Scheduling Orders, the Approved Mediator's List, the ADR Plan, a sample ADR Pre-Trial Stipulation and various motion and trial procedures including requesting an adjournment and scheduling a motion. Judge Schmucker's 2004 and 2005 Schedule can be checked on the Internet if you are trying to find a new date for an adjourned trial.
2. **ADR Pretrial.** The parties and/or attorneys are encouraged to develop their own ADR Plan. Attached is a proposed ADR stipulation and order. If you cannot agree on an ADR Plan, you must be present by person or by phone at the ADR Pretrial where the court will impose an ADR Plan after hearing from the parties.

An ADR Plan may be amended by stipulation. If an amended ADR Plan will affect a scheduled pretrial or trial date, you must show good cause.
3. **Pretrial Conference.** The parties are expected to be present at the pretrial or available by telephone.
4. **Witness Disclosure.** All of plaintiff's witnesses must be disclosed four months from the date the Complaint was filed. All of defendant's witnesses must be disclosed six months from the date the Complaint was filed. Witness lists must be in the form provided by MCR 2.401(I) and shall be filed with the Court.
5. **Discovery.** Discovery shall be completed six months after the case is filed. Requests for admissions may be served up to 35 days prior to any scheduled trial date.
6. **Medical Examinations.** Any medical examination required shall be completed no later than two months before trial and opposing counsel may have one month from receipt of the report to complete the discovery deposition of the examiner. If the report is not exchanged within one month of trial the witness will not be allowed to testify at trial.
7. **Exhibits.** Exhibits must be exchanged no later than two weeks prior to trial. If no objections are filed within seven days of trial, the exhibits will be admitted into evidence unless good cause is shown for the late objection. Each party submitting exhibits must file a Proof of Service listing the exhibits that have been exchanged, but the exhibits should not be filed with the Court. Any objection must refer to the specific exhibit and must set forth the reason for the objection. Any

exhibits not disclosed will not be admitted and any objection not filed will be deemed waived, unless good cause is shown for the lack of compliance with this Order.

8. **Extending Deadlines.** The parties may agree to change the witness disclosure dates and the deadlines for medical examinations, discovery, and exchange of exhibits provided the changes do not effect the pretrial or trial dates. The agreement should be in writing but does not have to be confirmed in a Court order.
9. **Motions for Summary Disposition.** If a motion for summary disposition is noticed for hearing less than 28 days prior to the scheduled trial date, the Court, in its discretion, may not decide the motion until the conclusion of the trial.
10. **Jury Instructions.** Requested jury instructions, voir dire, and trial briefs shall be filed by noon on the Friday before trial. The court will conduct all voir dire.
11. **Amending Case Scheduling Order.** Any party may move to amend this Case Scheduling Order. The motion shall be filed as soon as possible and shall contain proposed dates for modification and facts showing good cause.
12. **Service of Case Scheduling Order.** The Plaintiff must serve a copy of this Order with the Summons and Complaint and file a Proof of Service with the court. If an attorney appears in this case after the issuance of this Order, Plaintiff shall serve a copy of this order on the newly appearing attorney within 14 days of receipt of the attorney's Appearance and/or Answer.
13. **Motions.** When scheduling a motion for hearing, an additional copy of both the motion and notice of hearing should be sent directly to the Judge each time the motion is scheduled for hearing. Civil motions are heard on Monday, Thursday or Friday at 8:30 a.m. except that summary disposition or other long motions are scheduled by arranging a specific time with the Judge's secretary. The Judge's availability may be determined by calling his office at (517) 788-4365.
14. **Trial Procedures.** If attorneys plan on publishing exhibits to the jury, they are expected to have individual copies for all jurors if practicable. Trial exhibits should be labeled and marked prior to the scheduled start of the trial. After direct and cross-examination, the court will allow a limited re-direct examination that is not repetitive or cumulative. Re-cross is not allowed unless counsel can show good cause for not covering the matter during the initial cross-examination. Evidentiary objections should include the legal basis for the objection but should not include argumentative or extraneous comment.
15. **Sanctions.** Failure of either party to comply with the terms of this Order, or any modifications, may result in application of sanctions against the offending party and/or counsel, including attorney fees, and may result in dismissal of the case or default.
16. **Decorum.** Attorneys, litigants, and witnesses are expected to dress appropriately for court. Shorts and tank tops are not considered appropriate attire for adults.

Chad C. Schmucker
Circuit Judge