

**U.S. BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND**

**INFORMATION TO INCLUDE IN DISCOVERY PLAN PURSUANT TO
FED. R. BANKR. P. 7026(f) AND R.I. LBR 7026-1(c)**

Pursuant to FRBP 7026(f) and R.I. LBR 7026-1(c), at least 21 days before the scheduling order is due (which is within 45 days after the appearance of a defendant, *see* R.I. LBR 7016-1(c)), the parties must confer to consider the nature and basis of their claims and defenses and the possibilities for a prompt settlement or resolution of the case, to make or arrange for the disclosures required by FRBP 7026(a)(1), and to develop a proposed discovery plan (*see*, **R.I. Bankr. Form O.2**), that indicates the parties views and proposals concerning:

Federal Rule of Bankruptcy Procedure 7026(f)(1)-(4):

1. what changes should be made in the timing, form, or requirement for disclosures under FRBP 7026(a), including a statement as to when disclosures under FRBP 7026(a) were made or will be made;

2. The subjects on which discovery may be needed, when discovery should be completed, and whether discovery should be conducted in phases or be limited to or focused upon particular issues;

3. What changes should be made in the limitations on discovery imposed under these rules or by local rule, and what other limitations should be imposed; and

4. Any other orders that should be entered by the court under FRBP 7026(c) or under FRBP 7016(b) and (c); AND

R.I. Local Bankruptcy Rule 7026-1(c):

5. A proposed deadline to join other parties or amend the pleadings;

6. A proposed deadline for filing dispositive and pre-trial motions;

7. A proposed deadline for filing a Joint Pre-trial Order; and

8. A statement whether the parties believe that referral of the dispute for mediation would be helpful and whether or not both parties agree to such a referral.

The Discovery Plan shall substantially comply with the form found in R.I. Bankr. Form O.2 .