

## 16.1 Scheduling Orders.

- (a) **Entered by Magistrate Judges.** Magistrate judges may enter scheduling orders under Federal Rule of Civil Procedure 16(b).
- (b) **Excepted Proceedings.** The proceedings listed below are inappropriate for the scheduling order required by Federal Rule of Civil Procedure 16(b):
  - (1) habeas corpus cases and motions for post-conviction relief filed under 28 U.S.C. §§ 2241, 2254, and 2255;
  - (2) Social Security cases filed under 42 U.S.C. § 405(g) and any other action for judicial review of an administrative decision of a government agency where review is based on the administrative record;
  - (3) actions to compel arbitration or to confirm or set aside arbitration awards;
  - (4) proceedings to compel or challenge efforts to obtain testimony or production of documents under a subpoena or summons issued by an officer, agency or instrumentality of the United States not authorized to compel compliance;
  - (5) appeals from the bankruptcy court;
  - (6) actions for enforcement of a civil fine, penalty or forfeiture of property;
  - (7) naturalization proceedings;
  - (8) proceedings under the Freedom of Information Act, 5 U.S.C. § 552; and
  - (9) proceedings to compel testimony or production of documents relative to actions in another district or perpetuation of testimony for use in any court.
- (c) **Pro Se Cases.** Pro se cases assigned to a district judge for trial that are pending or filed after August 6, 2007, are exempt from the disclosure and conference requirements of Federal Rule of Civil Procedure 26. Unless otherwise ordered by the court, no scheduling orders will be entered in those cases.
  - (1) **Prior Scheduling or Progression Order.** If the court has already

issued a scheduling or progression order in a case pending on August 6, 2007, the parties must abide by the order.

- (2) **Progression Order.** Approximately 30 days after the last defendant files an answer, the court issues a progression order addressing discovery and other issues. No discovery may take place until this progression order is entered except upon motion and order.