

## **16.1 Scheduling Orders.**

### **(a) Entered by Magistrate Judges.**

- (1) Magistrate judges may enter scheduling orders under Federal Rule Civil Procedure 16(b).
- (2) In this district, a scheduling order under Federal Rule of Civil Procedure 16 (b) is called a "Case Progression Order."

### **(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 are exempt from the disclosure and conference requirements of Federal Rule of Civil Procedure 26. Unless otherwise ordered by the court, approximately 30 days after the last defendant files an answer, the court will issue an "Order Setting Schedule for Progression of Case" addressing discovery and other issues. No discovery may take place until this progression order is entered except upon motion and order.