

LOCAL RULE 13

DISCOVERY

13.1 It shall be the policy of this Court to minimize the parties resort to judicial intervention in the discovery process in all civil actions. It is also intended that Interrogatories and Requests shall not be filed with the Court except in those cases where informal, out-of-Court attempts at discovery are ineffective and it becomes necessary to file a Motion to Compel Discovery under the provisions of Rule 37(A) of the Ohio Rules of Civil Procedure.

A. Consultation Among Counsel

No objections, interrogatories, motions, applications or requests related to discovery shall be filed under the provisions of Rules 27 and 37, of the Ohio Rules of Civil Procedure in the Court unless counsel have exhausted all extra-judicial means for the resolution of differences.

B. Motion to Compel Discovery

To the extent that extra-judicial means have not disposed of the matter, the party seeking discovery may then proceed with the filing of a Motion to Compel Discovery under Rule 37 of the Ohio Rules of Civil Procedure.

The motion shall be accompanied by a supporting memorandum, which will state the movant's legal basis warranting an order compelling discovery. The memorandum filed should be concise, addressing itself only to those relevant issues, and generally should not exceed ten (10) pages. The motion and memorandum shall also be accompanied by:

- (1) An affidavit of counsel setting forth what extra-judicial means have been attempted to resolve differences; and
- (2) A copy of the interrogatories, application, requests, etc., which have previously been served pursuant to the Ohio Rules of Civil Procedure. No interrogatories, applications or requests shall be filed in the Court except in connection with a Motion to Compel Discovery.

C. Objection to Discovery Motion

Objections to any Discovery Motion filed pursuant to Rule 37 of the Ohio Rules of Civil Procedure shall be filed within the time specified in Rule 33 of the Ohio Rules of Civil Procedure. In all other respects, a Motion to Compel Discovery and Objections thereto will be treated as any other motion under these rules.

13.2 Nothing contained in this Local Rule shall be construed to prohibit or limit the filing of anything required or permitted to be filed for consideration pursuant to the provisions of Rule 56 of the Ohio Rules of Civil Procedures.

13.3 Unless otherwise ordered by the Court, a Scheduling Order shall be used in all civil proceedings and shall be complied with by counsel and the parties in the action, (see local Rule 20.) Failure to comply may result in orders disallowing the use of exhibits and evidence, waiver of objections on certain jury instructions and any other action deemed appropriate by the Court.