

**Hearings on Discovery Disputes in Jacksonville and Orlando Divisions
Effective September 1, 2023**

Beginning September 1, 2023, all motions to compel disclosure or discovery, motions for protective order, or similar motions set for hearing require **in person** attendance by all parties to the dispute (counsel and client) unless otherwise ordered by the Court. No telephonic or Zoom appearances will be allowed for hearings on discovery disputes unless otherwise ordered by the Court. **The Court’s general authorization for counsel outside of the Division of the Presiding Judge to appear remotely does not apply to hearings related to discovery disputes.**

Pertinent Local Rules

2004-1 – Examination of Debtor and Others

(h) **Motion to Compel; Payment of Expenses.** If an interested party files a motion to compel compliance with a properly issued notice of examination under this rule, Fed. R. Civ. P. 37(a)(5) applies.

7001-1(j) – Discovery

(1) **General.** Parties should be familiar with the Local Rules regarding discovery, including Local Rules 7026-1, 7026-2, 7030-1, 7033-1, and 7037-1.

(2) **Commencement of Discovery.** Absent leave of Court, discovery may not commence until the conclusion of the Meeting of Parties.

(3) **Discovery Deadline.** Parties shall complete discovery no later than seven days before the trial date except that the parties may complete previously scheduled depositions up to the trial date.

(4) **Discovery Disputes.** If a discovery dispute occurs, the parties shall first, as required by Fed. R. Civ. P. 37(a)(1), as incorporated by Fed. R. Bankr. P. 7037, confer in good faith to attempt to resolve the issues. If the parties are unable to resolve the dispute, any party may request a telephone conference with the Court so that the Court may render an informal, preliminary ruling on the discovery dispute, without prejudice to the right of any party to file a formal motion.

(5) **Discovery Papers Shall Not Be Filed with the Court.** Consistent with Fed. R. Civ. P. 5, as incorporated by Fed. R. Bankr. P. 7005, disclosures under Fed. R. Civ. P. 26(a)(1) or (2) and the following discovery responses and requests must not be filed with the Court until they are used in the case or proceeding or the Court orders filing: depositions, interrogatories, requests for documents or tangible things or to permit entry onto land, and requests for admissions.

7026-1 – Discovery General

(a) **General.** Local Rule 7001-1 addresses numerous discovery issues in adversary proceedings and, if ordered by the Court, in complex contested matters.

(b) **Contested Matters.** Unless otherwise ordered by the Court, the disclosure requirements of Fed. R. Civ. P. 26(a) and the conference and reporting requirements of Fed. R. Civ. P. 26(f) do not apply in contested matters. Unless the Court orders otherwise, the parties may commence discovery immediately after service of the paper initiating the contested matter is effected under Fed. R. Bankr. P. 7004.

(c) ***Discovery Papers Shall Not Be Filed with the Court.*** Consistent with Fed. R. Civ. P. 5, incorporated by Fed. R. Bankr. P. 7005, the parties' written disclosures under Fed. R. Civ. P. 26(a)(1) and (2) and the following discovery responses and requests shall not be filed with the Court until they are used in the case or proceeding or the Court orders their filing: depositions, interrogatories, requests for documents or tangible things or to permit entry onto land, and requests for admissions.

(d) ***Parties Shall Meet and Confer Prior to Filing Discovery Motions.*** Motions to compel and motions for protective order shall include a certification that the movant has in good faith conferred with the opposing party in an effort to resolve the issue without Court action.

7037-1 – Failure to Make Discovery

Motions to compel discovery pursuant to Fed. R. Bankr. P. 7037 shall quote in full:

- (a) each interrogatory, question on deposition, request for admission, or request for production to which the motion is addressed;
- (b) the objection and grounds therefor as stated by the opposing party; and
- (c) the reasons such objections should be overruled and the motion granted.