

## **CIVIL DISCOVERY DISPUTE PROCESS**

Unless Judge Stinnett orders otherwise in a particular case, these instructions apply to all cases in which all parties are represented by counsel.

**STEP 1:** Generally, discovery disputes are resolved as directed by the scheduling order propounded by the district court judge. If the parties have a dispute regarding some actions or inaction taken by another party as part of the discovery process, the Court initially expects the parties to comply with LR 37.1. The rule requires that counsel “make a good faith effort to resolve extrajudicially any dispute related to discovery.” Only upon compliance with this rule and notification to the Court of such compliance will the Court move ahead with resolving the dispute.

**STEP 2:** If the parties are unable to resolve the dispute, the parties may contact chambers at [Stinnett\\_Chambers@kyed.uscourts.gov](mailto:Stinnett_Chambers@kyed.uscourts.gov) with the following information:

- (1) a 2-3 sentence summary of the dispute;
- (2) indication that the parties have complied with LR 37.1;
- (3) the urgency of the dispute;
- (4) the parties necessary to resolve the dispute;
- (5) the approximate length of time the discovery dispute teleconference will require; and
- (6) dates for which all necessary counsel are available to discuss the dispute via teleconference.

All counsel in the litigation must be copied on this correspondence.

**STEP 3:** Judge Stinnett will enter an Order scheduling a conference call to discuss the dispute. Prior to the call and as directed in the Order, the parties must submit the [Civil Discovery Dispute Worksheet](#). Counsel shall copy all relevant counsel to the dispute. Counsel may submit any relevant (but strictly targeted) portions of filings and other papers concerning the dispute as attachments to the Worksheet. Failure to complete the Worksheet and/or comply with its requirements may result in the Court ruling against your position in the dispute.

**STEP 4:** Following the hearing, Judge Stinnett will quickly issue a succinct, provisional ruling that resolves the pending dispute, subject to any later order. Either party will then have leave to file a formal motion with full briefing to seek relief as to the dispute keeping in mind Local Rule 37.1. Judge Stinnett, upon completion of briefing, will issue an opinion that will be appealable to the sitting district court judge.