

I.C | FILING OF DISCOVERY MATERIALS AND OTHER DISCOVERY CONSIDERATIONS

1 - General Rule Governing Filing of Discovery Materials. In accordance with Local Rule 3.03(c) - (e), Middle District of Florida, copies of written interrogatories, answers and objections to interrogatories, notices of oral depositions, transcripts of oral depositions, requests for the production of documents and other things, responses to requests for production, matters disclosed pursuant to Rule 26(a)(1), Federal Rules of Civil Procedure, requests for admissions, and responses to requests for admissions shall not be filed with the Court as a matter of course. Discovery materials are filed only in limited circumstances, including if ordered by the Court, if necessary to the presentation or defense of a motion, or if required by law or rule.

Correspondence exchanged during the course of litigation either between opposing counsel or between counsel for one party and an unrepresented party should be filed with the Court only to comply with an order of the Court or when necessary to the presentation and consideration of a motion and only when the filing of traditional discovery material will clearly not suffice for the purpose. Counsel should carefully redact correspondence to exclude irrelevant and prejudicial material, e.g., settlement discussions.

2 - Filing Discovery or Other Papers Under Seal. In certain rare circumstances involving trade secrets or other confidential information, the Court may order the filing under seal of discovery in order to preserve the integrity of the information. However, the Court wishes to minimize the number of documents filed under seal. Applicable precedent allows the Court to file documents under seal only in certain limited circumstances. Therefore, no paper may be filed under seal without prior approval by the Court in accordance with Local Rule 1.09, and upon the demonstration of a sufficient legal and factual basis.

3 - Tailoring Discovery Requests to the Needs of the Case. A party should tailor discovery requests to the needs of each case. The content of the requests should apply to the particular case, and the form of discovery requested should be the one best suited to obtain the information sought. In each case a party should carefully determine which discovery methods will achieve the discovery goal of obtaining useful information as efficiently and inexpensively as possible for everyone concerned.

4 - Responding to Discovery Requests. A party responding to a discovery request should make diligent effort to provide a response that (i) fairly meets and complies with the discovery request and (ii) imposes no unnecessary burden or expense on the requesting party.