

**Notice to Parties re Initial Discovery Protocols for
Employment Cases Alleging Adverse Actions**

In applicable employment cases alleging adverse action, Judge Michael P. Shea requires the parties to utilize the Initial Discovery Protocols which have been endorsed by the Judicial Conference Advisory Committee on Civil Rules and are designed to achieve the goal of more efficient and targeted discovery.

The Initial Discovery Protocols apply to all employment cases that challenge one or more actions alleged to be adverse, except:

- A. Class actions;
- B. Cases in which the allegations involve only the following:
 - 1. Discrimination in hiring
 - 2. Harassment/hostile work environment;
 - 3. Violations of wage and hour laws under the Fair Labor Standards Act (FLSA)
 - 4. Failure to provide reasonable accommodations under the American with Disabilities Act (ADA)
 - 5. Violations of the Family Medical Leave Act (FMLA);
 - 6. Violations of the Employee Retirement Income Security Act (ERISA)

If the Initial Discovery Protocols DO NOT apply, the plaintiff's counsel or any pro se plaintiff must file the attached statement by no later than seven days after the filing of this notice.

Robin D. Tabora, Clerk