

Rule 7026-1 Discovery.

- (a) Cooperation and Proportionality. Parties are expected to confer and in good faith attempt to reach agreement cooperatively on how to conduct discovery under Fed. R. Civ. P. 26-36 and these Local Rules. Parties also are expected to use reasonable, good faith and proportional efforts including to preserve, identify and produce relevant information. This may include identifying appropriate limits to discovery, including limits on custodians, identification of relevant subject matter, time periods for discovery and other parameters to limit and guide preservation and discovery issues.
- (b) Notice. All motion papers under Fed. R. Bankr. P. 7026 - 7037 and 9016 shall be filed and served so as to be received at least seven (7) days before the hearing date on such motion. When service is made for a discovery related motion under this Local Rule, any objection shall be filed and served so as to be received at least one (1) business day before the hearing date.
- (c) Motions to Include the Discovery at Issue. Any discovery motion filed pursuant to Fed. R. Civ. P. 26 through 37 and 45 shall include, in the motion itself or in a memorandum, a verbatim recitation of each interrogatory, request, answer, response, or objection which is the subject of the motion or shall have attached a copy of the actual discovery document which is the subject of the motion.
- (d) Certification of Counsel. Except for cases or proceedings involving *pro se* parties or motions brought by nonparties, every motion under this Local Rule shall be accompanied by an averment of Delaware Counsel for the moving party that a reasonable effort has been made to reach agreement with the opposing party on the matters set forth in the motion or the basis for the moving party not making such an effort. Unless otherwise ordered, failure to so aver may result in dismissal of the motion.