

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

	)	CASE NO.
	)	
Plaintiff,	)	JUDGE
	)	
v.	)	MAGISTRATE JUDGE
	)	
	)	<b>RULE 26(F) REPORT OF THE PARTIES</b>
	)	
Defendant.	)	

**1. Attendance at Case Management Conference**

Pursuant to Local Rule 16.3(b)(3), the parties hereby submit the following joint statement regarding the agenda for the Case Management Conference to be held on \_\_\_\_\_, and attended by:

\_\_\_\_\_, counsel for Plaintiff(s) \_\_\_\_\_;

\_\_\_\_\_, counsel for Plaintiff(s) \_\_\_\_\_;

\_\_\_\_\_, counsel for Plaintiff(s) \_\_\_\_\_; and

\_\_\_\_\_, counsel for Defendant(s) \_\_\_\_\_;

\_\_\_\_\_, counsel for Defendant(s) \_\_\_\_\_;

\_\_\_\_\_, counsel for Defendant(s) \_\_\_\_\_.

**2. Important Notice for Parties**

Before counsel commit to dates and a discovery plan, the Court expects that they have consulted with their respective clients and that clients have provided counsel with sufficient and accurate information to conduct a meaningful conference with opposing counsel and the Court, including on matters regarding discovery of electronically stored information and the key issues on which the parties require early and limited discovery or rulings to facilitate prompt resolution, if one is

possible.

Once the Court sets dates at the Case Management Conference or at any subsequent conference, the Court will not change those deadlines without a showing of good cause. Good cause does not include a failure to conduct a reasonable investigation or to have an adequate conference about the issues before the deadline was set.

### **3. Track Assignment**

This case should be assigned to the following track:

☐ Expedited

☐ Mass Tort

☐ Complex

☐ Administrative

☐ Standard

### **4. Alternative Dispute Resolution**

This case ☐ is/ ☐ is not presently suitable for one or more of the following Alternative

Dispute Resolution (“ADR”) mechanisms:

☐ Early Neutral Evaluation

☐ Summary Jury Trial

☐ Mediation

☐ Summary Bench Trial

☐ Arbitration

If the parties believe this matter is *not* presently suitable for ADR but might be later, please identify with particularity what discovery would be necessary before ADR might be appropriate:

### **5. Consent to the Magistrate Judge**

The parties ☐ do ☐ do not consent to the jurisdiction of the United State Magistrate Judge under 28 U.S.C. § 636(c).

**6. Pre-Discovery Disclosures**

The parties:

☐ have exchanged pre-discovery disclosures; or

☐ will exchange pre-discovery disclosures by \_\_\_\_\_; .

If selecting this option, please explain why counsel decided to hold the Rule 26(f) conference without the benefit of initial disclosures:

☐ are not required to make initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1)(B).

If selecting this option, please identify the provision of Rule 26 authorizing an exemption:

**7. Electronically Stored Information**

Unless otherwise indicated, the parties will follow the default standard for discovery of electronically stored information (Appendix K to the Local Rules for the Northern District of Ohio).

**8. Privileged and Confidential Materials**

Federal Rule of Evidence 502(b) and Federal Rule of Civil Procedure 26(b)(5)(B) governs the inadvertent disclosure of privileged materials.

## 9. Case Management Deadlines

- Motions seeking to **add parties or amend pleadings** must be filed on or before \_\_\_\_\_.
- **Non-expert discovery** must be completed on or before \_\_\_\_\_.
- **Expert reports** for the party bearing the burden of proof on the issue addressed must be submitted to opposing counsel on or before \_\_\_\_\_.
- **Responsive reports** are due by \_\_\_\_\_.
- **Expert discovery** must be completed on or before \_\_\_\_\_.
- **Dispositive motions** must be filed on or before \_\_\_\_\_.

## 10. Filing of Discovery Materials

Unless otherwise ordered by the court, initial disclosures, discovery depositions, interrogatories, requests for documents, requests for admission, and answer and responses thereto **must not** be filed in the Electronic Case Filing System, except that discovery materials may be filed as evidence in support of a motion or for use at trial.

## 11. Discovery Deadlines

Discovery must be conducted according to the guidelines set forth in Local Civil Rule 16.2(a) for cases assigned to the case management track referred to in Section 3, above. The Court specifically directs the parties to comply with Local Civil Rule 37.1 including the obligation to contact the presiding judicial officer by telephone, before filing any motion under Federal Rule of Civil Procedure 37 seeking aid from the Court in discovery matters.

## 12. Summary Judgment Motions

Motions for summary judgment may be filed at any time authorized under Federal Rule of Civil Procedure 56 but the filing of such motions prior to the completion of discovery relevant to issues raised is discouraged. The requirements of Rule 56, including those under Rule 56(e) and (f) will be strictly applied.

Dated:

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Counsel for Plaintiff

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Counsel for Defendant