

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

	:	CIVIL ACTION
	:	
	:	
v.	:	No.
	:	
	:	

JOINT REPORT OF RULE 26(f) MEETING

In accordance with Federal Rule of Civil Procedure 26(f), counsel for the parties conferred on _____ and submit the following report of their meeting for the Court's consideration:

I. Counsel

Date and time of Rule 16 Conference: _____

Plaintiff's Counsel participating in the Rule 16 conference: _____

Defendant's Counsel participating in the Rule 16 conference: _____

II. Description of Claims, Defenses, and Relevant Issues

Basis of Jurisdiction: _____

Jury trial _____ **Non-Jury Trial** _____ **Arbitration** _____

You should assume that the Court has read the complaint and answer and is familiar with the claims. The Court does not, however, know the facts supporting those claims and defenses. **Therefore, counsel shall concisely summarize the controlling facts that the parties contend support their claims and defenses.** If counsel contends that one or more issues of fact or law will be dispositive, they should specifically identify such issues.

III. Informal Disclosures

Except in exceptional cases with a substantial quantity of documents, the parties are expected to have identified and produced documents falling within the definition of initial disclosures under Rule 26(a)(1) in advance of the Conference with sufficient time for opposing counsel to review them and be prepared to address them.

When did the parties comply with Rule 26(a)'s duty of self-executing disclosure? _____

IV. Scope and Status of Discovery

1. Summarize with specificity those issues on which the Parties will need to conduct discovery.

Identify categories of information each Party needs in discovery and why.

2. Anticipated number of interrogatories per Party: _____

3. Anticipated number of depositions per Party: _____

4. To the extent either Party proposes to exceed the presumptive limits in the Federal Rules of Civil Procedure for discovery, explain the basis for that proposal:

5. Do the Parties anticipate the need for any third-party discovery: _____. If so, identify the likely third-parties and the discovery to be sought:

6. Do the Parties anticipate the need for experts: : _____. If so, identify the subjects on which the expert(s) may opine:

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7. Is electronic discovery needed: _____. If so, have the parties reached an agreement on how to conduct electronic discovery? _____. The Parties should summarize their discussion on electronic discovery issues here.
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Have the Parties agreed to an ESI stipulation: _____. *If so, the parties should submit the stipulation to the Court in advance of the Rule 16 conference.* If not, the Parties should identify what issues need to be resolved to finalize a stipulation.

The Court expects counsel who attend the Rule 16 conference to be familiar with and able to discuss any ESI-related issues that might arise. If the parties cannot reach an agreement, in most cases, the Court will enter an order incorporating default standards.

8. Have the parties discussed issues relating to claims of privilege or of protection as trial-preparation material, as required by Rule 26(f)(3)(D)?
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9. Have all necessary authorizations been signed and exchanged in advance of the Conference (e.g. HIPAA release, tax return authorization): _____yes _____no

V. Dispositive Motions

1. Are dispositive motions expected? _____yes _____no _____unsure
2. Are Daubert motions expected? _____yes _____no _____unsure

VI. Proposed Case Management Deadlines

1. The discovery deadline should normally be no more than 90 - 120 days from the date of the Rule 16 conference. The parties anticipate discovery should be completed within ____ days.

If you contend the discovery period should exceed 120 days, please explain:

2. Deadline to amend pleadings to add claims or Parties (*must be as early as practicable to avoid prejudice or unnecessary delays): _____
3. Deadline for affirmative expert reports (if any) and disclosure of lay witness opinion testimony with related information and documents (if any): _____
4. Deadline for rebuttal expert reports (if any): _____
5. Deadline to file motion for summary judgment: _____
6. Trial date and estimated duration of trial: _____

VII. Insurance Coverage

The parties shall provide full information about any potentially applicable insurance, regardless of any disclaimer or reservation of rights, including the limits of coverage, potential excess coverage, deductibles, self-insured retention (SIR), and whether any deductible or SIR includes payment of counsel fees and costs.

Is there a relevant insurance policy? _____yes _____no

If yes, state the relevant policy limits on the policy or policies:

VIII. Settlement or Early Resolution

The parties should review Local Rule 53.3 before responding. Whenever possible, plaintiff or counter-claim plaintiffs should communicate a settlement demand before the Conference. Set forth the parties' discussion about early resolution through ADR, motion, or otherwise explain what steps were taken by counsel to advise the client of alternative dispute resolution options. If this matter is scheduled as a jury trial, the parties should be prepared to disclose at the Conference the most recent demand and offer of settlement. This information should not be disclosed if a bench trial is expected.

1. Would a settlement conference be beneficial? _____
2. If so, when: _____ early _____ after discovery.

IX. Other Matters

Please advise the Court if there are any other matters that will need to be addressed at the Conference.

X. Policies and Procedures

Judge Copeland's Policies and Procedures are available for the Parties to review on the Court's website. By signing below, counsel for each Party and/or each *pro se* Party represents that he or she has reviewed the Judge's Policies and Procedures and acknowledges the requirements contained therein. The Parties and their counsel further acknowledge by signing below that Judge Copeland will strike pleadings and other submissions that do not comply with her Policies and Procedures.

Counsel acknowledge that they have fully discussed their joint responses to this disclosure and have jointly submitted this response to the best of their knowledge of their respective cases:

(Attorney Signature)

(Attorney Signature)