

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Plaintiff(s),

v.

Civil Action _____ : _____ cv- _____
Judge Susan J. Dlott
Magistrate Judge _____

Defendant(s).

RULE 26(f) REPORT

Pursuant to Federal Rule of Civil Procedure 26(f), a meeting was held on _____ and was attended by:

_____, counsel for plaintiff(s) _____
_____, counsel for plaintiff(s) _____
_____, counsel for defendant(s) _____,
_____, counsel for defendant(s) _____,

Counsel represent that, during the meeting, they engaged in a meaningful attempt to meet and confer on the matters outlined below.

1. CONSENT TO MAGISTRATE JUDGE

Do the parties consent to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c)?

Yes No

2. INITIAL DISCLOSURES

Have the parties agreed to make initial disclosures?

Yes No The proceeding is exempt under Rule 26(a)(1)(B).

If yes, such initial disclosures shall be made by _____.

3. VENUE AND JURISDICTION

Are there any contested issues related to venue or jurisdiction?

Yes No

If yes, describe the issue(s) : _____

If yes, the parties agree that any motion related to venue or jurisdiction shall be filed by _____.

4. PARTIES AND PLEADINGS

a. The parties agree that any motion or stipulation to amend the pleadings or to join additional parties shall be filed by _____.

b. If the case is a class action, the parties agree that the motion for class certification shall be filed by _____.

5. MOTIONS

a. Are there any pending motions?

Yes No

If yes, indicate which party filed the motion(s) and identify the motion(s) by name and docket number: _____.

b. Are the parties requesting expedited briefing on the pending motion(s)?

Yes No

If yes, identify the proposed briefing schedule:

Opposition brief to be filed by _____. Reply brief to be filed by _____.

6. ISSUES

Jointly provide a brief description of the case, including causes of action set forth in the Complaint, and indicate whether there is a jury demand: _____

7. DISCOVERY PROCEDURES

a. The parties agree that all discovery shall be completed by _____. The parties agree to schedule their discovery in such a way as to require all responses to discovery to be served prior to the cut-off date. If the parties have a discovery dispute, they are directed to attempt to resolve the matter extrajudicially in person or by telephone (not merely by exchanging written communications). If that attempt is unsuccessful, the parties are to contact Judge Dlott's Courtroom Deputy by calling chambers (513-564-7630) or emailing chambers (dlott_chambers@ohsd.uscourts.gov) to request a discovery conference. Discovery dispute motions cannot be filed without leave of the Court.

b. Does discovery need to be bifurcated or conducted in phases?

Yes No

If yes, describe the discovery procedures sought:

c. Do the parties anticipate production of ESI?

Yes No

If yes, describe the protocol for such production: _____

d. Do the parties request any changes to the limitations on discovery imposed under the Federal Rules of Civil Procedure or the Local Rules?

Yes No

If yes, describe the changes requested and identify by which party:

e. Do the parties intend to seek a protective order or clawback agreement?

Yes No

If yes, such order or agreement shall be produced to the Court by _____. Any protective order must comply with *Shane Group v. Blue Cross Blue Shield of Michigan*, 825 F.3d 299 (6th Cir. 2016). Approved forms for protective order can be found on the website for the Southern District of Ohio at <https://www.ohsd.uscourts.gov/ohio-southern-district-forms>.

8. DISPOSITIVE MOTIONS

a. Any dispositive motions shall be filed by _____.

b. Are the parties requesting expedited briefing on the dispositive motions?

Yes No

If yes, identify the proposed expedited briefing schedule:

Opposition brief to be filed by _____. Reply brief to be filed by _____.

9. EXPERT TESTIMONY

a. Primary expert reports must be produced by _____.

b. Rebuttal expert reports must be produced by _____.

10. SETTLEMENT

The Court's Standing Order on Civil Procedures requires the parties to engage in settlement discussions prior to the Preliminary Pretrial Conference.

a. Did Plaintiff make an initial written settlement demand by no later than the date of the Rule 26(f) discovery conference?

Yes No

b. Did Defendant respond in writing to the settlement demand by no later than the date of the filing of this Rule 26(f) Report.

Yes No

c. No later than three (3) business days prior to the Preliminary Pretrial Conference, each party must submit to the Court’s email at dlott_chambers@ohsd.uscourts.gov an *ex parte* letter, not to exceed five (5) pages, giving a brief synopsis of the case and explaining the status of settlement negotiations. These letters will be held in confidence by the Court, should not be filed with the Clerk’s Office, and may be but do not have to be exchanged with opposing counsel.

11. RULE 16 PRETRIAL CONFERENCE

The Court will hold a Preliminary Pretrial Conference in chambers at a date to be set by the Court.

12. OTHER MATTERS

Indicate any other matters for the Court’s consideration:

Signatures:

Attorney for Plaintiff(s):

Attorney for Defendant(s):

Counsel for _____

Counsel for _____

Counsel for _____

Counsel for _____

Counsel for _____

Counsel for _____

Date: _____