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U.S. DISTRICT COURT
N.D. OF ALABAMA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION

BARBARA WILSON,	}	
	}	
PLAINTIFF,	}	
	}	**CIVIL ACTION NO.:**
v.	}	**CV-10-BE-2386-S**
	}	
THE BIRMINGHAM LIBRARY	}	
BOARD, ET AL.	}	
	}	
	}	
DEFENDANTS.	}	

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REPORT OF PARTIES PLANNING MEETING

1. **Pursuant to Fed.R.Civ.P.26(f), a meeting was held via email on November 23, 2010. The meeting was attended by:**

   (a) **<u>For the Plaintiff:</u> Barbara Wilson**, Adam P. Morel, Esq., 517 Beacon Parkway West, Birmingham, Alabama 35209; and

   (b) **<u>For the Defendants:</u> City of Birmingham and Birmingham Library Board**, Fredric L. Fullerton, II, Esq., City of Birmingham, City Attorney's Office 710 North 20th Street, Birmingham, Alabama 35203.

2. **Pre-Discovery Disclosures:** On or before December 30, 2010, the parties will exchange the information required by Fed.R.Civ.P. 26(a)(O) and Local Rule 26.1(a)(1).

3. **Discovery Planning:** The parties jointly propose the court the following discovery plan:

   (a) Discovery will be needed on the plaintiff's factual allegations.

   (b) All discovery will be commenced in time to be completed by July 1, 2011.

   (c) A maximum of 30 interrogatories by each party. Responses to all interrogatories will be due 30 days after service, unless extended by agreement of the parties or order of the court.

   (d) A maximum of 30 requests for production by each party to the other party without prior approval of the court, including discreet subparts. Responses to requests for production will be due 30 days after service, unless extended by agreement of the parties or order of the court.

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(e) A maximum of 20 requests for admission by each party. Responses will be due 30 days after service, unless extended by agreement of the parties or order of the court.

(f) A maximum of 10 depositions by plaintiffs combined and 10 depositions by defendant.

(g) Each deposition will be limited to a maximum of 7 hours unless extended by agreement of the parties or order of the court.

(h) Report from retained experts under Rule 26(a)(2) will be due:

From the Plaintiff by May 6, 2011;
From the Defendant by May 27, 2011.

Supplementation under Fed.R.Civ.P. 26(e) will be due **30 days before close of discovery.**

4. **Other Items.**
The parties **DO NOT** request a scheduling conference with the court before entry of the scheduling order.

Plaintiffs should be allowed to amend the pleadings, or to join additional parties until **March 28, 2011.**

Defendants should be allowed to amend the pleadings, or to join additional parties until **April 3, 2011**.

All additional potentially dispositive motions shall be filed by August 5, 2011.

Settlement cannot be evaluated until some discovery is completed.

The parties request a pretrial conference **30 days prior to trial**.

Final lists of trial evidence under Rule 26(a)(3) should be due:
From plaintiff: witnesses and exhibits by 30 days before trial.
From defendant: witnesses and exhibits by 30 days before trial.

The parties have 14 days after service of final list of trial evidence to list objections under Rule 26(a)(3).

The case should be ready from trial on or after October 2011 and is expected to take approximately 3 days.

s/Adam P. Morell
Adam P. Morell
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Birmingham, Alabama 35209

s/Fredric L. Fullerton, II
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