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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Cathy Bopp,

Plaintiff,

v.

Healthcare Collections-I LLC,

Defendant.

No. CV-16-02967-PHX-BSB

**ORDER SETTING RULE 16 CASE  
MANAGEMENT CONFERENCE**

Pursuant to Rule 16 of the Federal Rules of Civil Procedure, a Case Management Conference is set for **December 14, 2016 at 10:00 a.m.** in Courtroom 304, Sandra Day O'Connor United States Courthouse, 401 West Washington Street, Phoenix, Arizona 85003-2120. In preparation for this Case Management Conference,

**IT IS ORDERED:**

**INITIAL DISCLOSURES**

The parties shall provide initial disclosures in the form and on the schedule required by Federal Rule of Civil Procedure 26(a). The parties must file with the Clerk of the Court a Notice of Initial Disclosure; the parties should not file copies of the actual disclosures.

**COMMENCEMENT OF DISCOVERY**

The limitation on the commencement of formal discovery set forth in Federal Rule of Civil Procedure 26(d)(1) is waived. Formal discovery may commence at any time after the appearance of the party from whom discovery is sought.

1                   CORPORATE DISCLOSURE STATEMENT

2                   Pursuant to Federal Rule of Civil Procedure 7.1, and Local Rule 7.1.1, any  
3 nongovernmental corporate party to an action or proceeding must file a Corporate  
4 Disclosure Statement. If not previously filed, any nongovernmental corporate party must  
5 file its Corporate Disclosure Statement within fourteen days of receipt of this Order.  
6 Forms are available at [www.azd.uscourts.gov](http://www.azd.uscourts.gov) under “Rules, General Orders & Forms.”

7                   RULE 26(f) MEETING AND CASE MANAGEMENT REPORT

8                   The parties must meet and confer at least fourteen days before the Case  
9 Management Conference. *See* Fed. R. Civ. P. 26(f)(1). At this Rule 26(f) Meeting, the  
10 parties shall develop a joint Case Management Report that contains the following  
11 information in separately numbered paragraphs.

12                   1.       The parties who attended the Rule 26(f) Meeting and assisted in developing  
13 the Case Management Report.

14                   2.       A list of the parties in the case, including any parent corporations or entities  
15 (for recusal purposes).

16                   3.       A short statement of the nature of the case (**3 pages or less**), including a  
17 description of each claim and defense.

18                   4.       A description of the principal factual and legal disputes in the case.

19                   5.       The jurisdictional basis for the case, citing specific jurisdictional statutes.<sup>1</sup>

20                   6.       Any parties that have not been served and an explanation of why they have  
21 not been served, and any parties that have been served but have not answered or  
22 otherwise appeared. Unless counsel can otherwise show cause, an order shall accompany  
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24                   <sup>1</sup> If jurisdiction is based on diversity, the basis shall include a statement of the  
25 citizenship of every party and the amount in dispute. *See* 28 U.S.C. § 1332. The parties  
26 are reminded that (1) a corporation is a citizen of the state where it is incorporated and  
27 the state of its principal place of business, and (2) partnerships and limited liability  
28 companies are citizens of every state in which one of their members or partners resides.  
*See* 28 U.S.C. § 1332(c); *Indus. Tectonics v. Aero Alloy*, 912 F.2d 1090, 1092 (9th Cir.  
1990); *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006).

1 the joint report dismissing any fictitious or unnamed parties, any party that has not been  
2 served, or appropriate pleadings seeking default judgment on any non-appearing party.

3 7. A statement of whether any party expects to add parties to the case or  
4 otherwise to amend pleadings (the Court will set a deadline of no later than sixty days  
5 after the Case Management Conference to join parties or amend pleadings).

6 8. A list of contemplated motions and a statement of the issues to be decided  
7 by these motions (including motions under Rules 702, 703, 704, and 705 of the Federal  
8 Rules of Evidence).

9 9. The status of related cases pending before other judges of the District of  
10 Arizona or before other courts.

11 10. A statement of when the parties exchanged Rule 26(a) initial disclosures.

12 11. A discussion of necessary discovery, including:

13 a. The extent, nature, and location of discovery anticipated by the  
14 parties;

15 b. Suggested changes, if any, to the discovery limitations imposed by  
16 the Federal Rules of Civil Procedure; and,

17 c. Suggested changes, if any, to the number of hours permitted for each  
18 deposition, unless extended by agreement of the parties. *See Fed. R. Civ. P. 30(d)(1).*

19 12. A discussion of any issues relating to disclosure or discovery of  
20 electronically stored information, including the form or forms in which it should be  
21 produced. *See Fed. R. Civ. P. 16(b)(3)(B); 26(f)(3)(C).*

22 13. A discussion of any issues relating to claims of privilege or work product.  
23 *See Fed. R. Civ. P. 16(b)(3)(B); 26(f)(3)(D).*

24 14. Proposed specific dates for each of the following (deadlines should fall on a  
25 Friday unless impracticable):

26 a. A deadline for the completion of discovery (the parties may propose  
27 bifurcated discovery with staggered deadlines for the completion of fact and expert  
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1 discovery, or they may propose a deadline for the completion of all discovery);<sup>2</sup>

2 b. Deadlines for completion Rule 26(a)(2)(A)-(E) expert disclosures  
3 (the parties may propose staggered deadlines for expert disclosures and may include  
4 deadlines for rebuttal experts);

5 c. A deadline for completion of all expert depositions;

6 d. A deadline for filing dispositive motions; and

7 e. A date by which the parties shall have engaged in good faith  
8 settlement talks.

9 15. Whether a jury trial has been requested, whether the request for a jury trial  
10 is contested and, if so, the reasons why the request is contested.

11 16. The estimated length of trial and any suggestions for shortening the trial.

12 17. The prospects for settlement, including any request for the Court's  
13 assistance in settlement efforts such as referring the matter to another magistrate judge  
14 for a settlement conference.

15 18. Any other matters that will aid the Court and parties in resolving this case  
16 in a just, speedy, and inexpensive manner. *See* Fed R. Civ. P. 1.

17 The parties must jointly file the Case Management Report with the Clerk of Court  
18 at least seven days before the Case Management Conference. Plaintiff must initiate the  
19 Rule 26(f) Meeting and preparation of the joint Case Management Report. Defendant  
20 must promptly and cooperatively participate in the Rule 26(f) Meeting and assist in  
21 preparation of the Case Management Report.

22 CASE MANAGEMENT CONFERENCE AND ORDER

23 The Court directs counsel to Federal Rule of Civil Procedure 16 for the objectives  
24 of the Case Management Conference. Counsel who will be responsible for trial of the

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25 <sup>2</sup> All discovery must be completed by the discovery deadline. Discovery requests  
26 must be served and depositions noticed sufficiently in advance of this date to ensure  
27 reasonable completion by the discovery deadline, including time to resolve discovery  
28 disputes. Absent extraordinary circumstances, the Court will not entertain discovery  
disputes after this deadline.

1 lawsuit for each party must appear and participate in the Case Management Conference  
2 and must have authority to enter into stipulations regarding all matters that may be  
3 discussed. The Court will grant a continuance of the Case Management Conference only  
4 for good cause and will not grant a continuance beyond the time limit set forth in Federal  
5 Rule of Civil Procedure 16(b).

6 After the Case Management Conference, the Court will enter a Case Management  
7 Order. The form of the Court's standard Case Management Order can be found on the  
8 Court's website at [www.azd.uscourts.gov](http://www.azd.uscourts.gov) under "Judges' Information, Orders, Forms &  
9 Procedures/Bridget S. Bade." The Court will enforce the deadlines in the Case  
10 Management Order. The parties should plan their litigation activities accordingly.

11 OTHER MATTERS

12 The parties are expected to comply fully with the Federal Rules of Civil Procedure  
13 and the Local Rules of Practice for the District Court, and to minimize the expense of  
14 discovery. All pleadings and motions must comply with the Local Rules. *See* LRCiv 7.1  
15 and 7.2.

16 Dated this 20th day of October, 2016.

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Bridget S. Bade  
20 United States Magistrate Judge  
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