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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

BRYAN PRINGLE, etc.,)	Case No. SACV 10-1656-JST(RZx)
)	
Plaintiff/s,)	
)	ORDER SETTING SCHEDULING
v.)	CONFERENCE FOR
)	
WILLIAM ADAMS JR., etc., et al.,)	<u>MARCH 7, 2011</u>
)	1:30 P.M., COURTROOM 10-A
_____ Defendant/s)	

**READ THIS ORDER CAREFULLY. IT DIFFERS IN SOME RESPECTS FROM
THE LOCAL RULES.**

This case has been assigned to Judge Josephine Staton Tucker. If plaintiff has not already served the complaint (or any amendment thereto) on **all** defendants, plaintiff shall promptly do so and shall file proofs of service within three (3) days thereafter. Defendants also shall timely serve and file their responsive pleadings and file proofs of service within three days thereafter.

This case is set for a scheduling conference under Fed. R. Civ. P. 16(b) on the date and time stated in the caption of this Order, in Courtroom 10-A of the Ronald Reagan Federal Building and United States Courthouse, 411 West Fourth Street, Santa Ana, California. Unless excused for good cause shown in advance of the scheduling

1 conference, **lead counsel** shall appear at the scheduling conference and at all pretrial
2 hearings fully informed concerning the facts of the case.

3 **1. Joint Rule 26(f) Report and ADR-01 Form**

4 As provided in Fed. R. Civ. P. 26(f), the parties shall meet at least 21 days before
5 the scheduling conference and file a Joint 26(f) Report ("Report") **no later than 14**
6 **days before the date set for the scheduling conference.** The Report shall be drafted
7 by plaintiff (unless the parties agree otherwise), but shall be submitted and signed
8 jointly. "Jointly" contemplates a single report, regardless of how many separately-
9 represented parties there are. The Report shall separately address all matters described
10 below, which include those required to be discussed by Fed. R. Civ. P. 26(f) and [Local](#)
11 [Rule 26:](#)

- 12 a. Statement of the case: a short synopsis (not to exceed two pages) of the
13 main claims, counterclaims, and affirmative defenses.
- 14 b. Legal issues: a brief description of the key legal issues, including any
15 unusual substantive, procedural, or evidentiary issues.
- 16 c. Damages: the realistic range of provable damages.
- 17 d. Insurance: whether there is insurance coverage, the extent of coverage,
18 and whether there is a reservation of rights.
- 19 e. Motions: a statement of the likelihood of motions seeking to add other
20 parties or claims, file amended pleadings, transfer venue, etc.
- 21 f. Manual for Complex Litigation: whether all or part of the procedures of
22 the Manual for Complex Litigation should be utilized.
- 23 g. Status of Discovery: a discussion of the present state of discovery,
24 including a summary of completed discovery.
- 25 h. Discovery Plan: a detailed discovery plan, as contemplated by Fed. R.
26 Civ. P. 26(f)(3), including a discussion of the proposed dates for expert
27 witness disclosures under Fed. R. Civ. P. 26(a)(2)(see [Local Rule 26-1\(f\)](#)).

1 A statement that discovery will be conducted as to all claims and
2 defenses, or other vague description, is not acceptable.

- 3 i. Discovery cut-off: a proposed discovery cut-off date. This means the
4 final day for completion of discovery.
- 5 j. Dispositive motions: a description of the issues or claims that any party
6 believes may be determined by motion for summary judgment or motion
7 *in limine*.
- 8 k. Settlement: a statement of what settlement discussions or written
9 communications have occurred (excluding any statement of the terms
10 discussed) and a statement pursuant to [Local Rule 16-15.4](#) selecting a
11 settlement mechanism under that Rule. Note, however, that the parties
12 may not choose a settlement conference before the magistrate judge.
13 Along with the Report, parties shall submit a completed ADR-01
14 "Settlement Procedure Selection" Form that designates selection of either
15 Settlement Procedure 2 or 3. A copy of the ADR-01 form can be found in
16 the "Forms" section of the Central District of California's official website
17 (<http://www.cacd.uscourts.gov>). No case will proceed to trial unless all
18 parties, including the principals of all corporate parties, have appeared
19 personally at a settlement conference.
- 20 l. Trial estimate: a realistic estimate of the time required for trial and
21 whether trial will be by jury or by court. Each side should specify (by
22 number, not by name) how many witnesses it contemplates calling. If the
23 time estimate for trial given in the Report exceeds four court days, counsel
24 shall be prepared to discuss in detail the estimate.
- 25 m. Trial counsel: the name(s) of the attorney(s) who will try the case.
- 26 n. Independent Expert or Master: whether this is a case in which the Court
27 should consider appointing a master pursuant to Fed. R. Civ. P. 53 or an
28 independent scientific expert. (The appointment of a master may be

1 especially appropriate if there are likely to be substantial discovery
2 disputes, numerous claims to be construed in connection with a summary
3 judgment motion, a lengthy Daubert hearing, a resolution of a difficult
4 computation of damages, etc.)

5 o. Other issues: a statement of any other issues affecting the status or
6 management of the case (*e.g.*, unusually complicated technical or
7 technological issues, disputes over protective orders, extraordinarily
8 voluminous document production, non-English speaking witnesses,
9 discovery in foreign jurisdictions, etc.) and any proposals concerning
10 severance, bifurcation, or other ordering of proof.

11 The Report should set forth the above-described information under section
12 headings corresponding to those in this Order.

13 **2. Notice to be Provided by Counsel**

14 Plaintiff's counsel or, if plaintiff is appearing *pro se*, defendant's counsel, shall
15 provide this Order to any parties who first appear after the date of this Order and to
16 parties who are known to exist but have not yet entered appearances.

17 **3. Disclosures to Clients**

18 Counsel are ordered to deliver to their respective clients a copy of this Order and
19 of the Court's trial order, which will contain the schedule that the Court sets at the
20 scheduling conference.

21 The Court thanks the parties and their counsel for their anticipated cooperation in
22 complying with these requirements.

23 IT IS SO ORDERED.

24 Dated: December 15, 2010

25
26 **JOSEPHINE STATON TUCKER**
27 **JOSEPHINE STATON TUCKER**
28 United States District Judge