

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TIMELINES, INC.)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.: 11 CV 6867
)	
FACEBOOK, INC.)	Jury Trial Demanded
)	
Defendant.)	

JOINT INITIAL STATUS REPORT

1. The Attorneys and Basis For Federal Jurisdiction

A. The attorneys of record

The attorneys of record for the parties are noted below on the signature block.

B. The basis for federal jurisdiction

This Court has federal question jurisdiction over this action pursuant to 28 U.S.C. § 1331, and based upon 15 U.S.C. §§ 1121 & 1338.

2. Pending Motions and Case Plan

A. Pending Motions:

There presently are no pending motions.

B. Jury Trial:

Plaintiff has demanded a jury trial for its claims, and Defendant has demanded a jury trial on its Counterclaims.

C. Discovery Plan, Rule 26(f)(3):

The parties have discussed discovery and the nature of the case, as well as a discovery plan pursuant to Fed.R.Civ.Proc.26(f)(3). The parties submit the following as a proposed plan, and have highlighted areas of current dispute. This section tracks sub-paragraphs (A) through (F) of Rule 26(f)(3):

- (A) The parties agreed to make their Rule 26(a) Initial Disclosures on or before **January 23, 2012**. The parties did not otherwise propose any changes to that rule.

- (B) The parties agree that discovery should be phased, with a period of fact discovery preceding expert discovery. The parties discussed the timing of discovery, and agreed on the following schedule:

Fact discovery completed by August 31, 2012
Plaintiff's expert reports due by September 28, 2012
Defendant's expert reports due by October 26, 2012
Rebuttal expert reports due by November 23, 2012
Expert discovery completed by December 28, 2012.
Dispositive motions to be filed by January 31, 2013
Final pretrial order to be filed by [open for Court].

- (C) With respect to electronically stored information ("ESI"), the parties preliminarily discussed issues relating to the collection and production of ESI, and agreed to continue to do so and enter into a protocol governing the same. Facebook will prepare a draft of the protocol and provide it to Timelines.

- (D) The parties Agree that should any documents be withheld from production on the basis that the documents are subject to the attorney-client privilege, work product doctrine, or any other applicable privilege, the withholding party shall produce a privilege log in accordance with the Federal Rules of Civil Procedure and the following conditions:

1. Documents created on or after the date Timelines filed its complaint may be excluded from the privilege log;

2. Communications between the parties and their respective outside counsel for this action may be excluded from the privilege log; and

3. Where an email chain is at issue, the listing on the log will (a) indicate that the document is an email chain, (b) describe the last communication in the email chain, and (c) identify all correspondents on each privileged email in the chain.

- (E) The parties anticipate submitting an agreed protective order to the Court to govern the exchange and use of confidential or otherwise protected information.

- (F) The parties propose that the Court enter an order pursuant to Rule 16(b)(3) providing that, absent good cause:

- any additional parties are to be added on or before July 1, 2012; and

- amendments to the pleadings are due on or before the close of fact discovery.

3. Settlement Discussions

The parties have discussed settlement of this matter and submit that an early settlement conference with a magistrate judge may facilitate settlement of this matter.

Dated: January 20, 2012

TIMELINES, INC.

By: /s/ Douglas A. Albritton
One of its Attorneys

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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that he served the foregoing Parties' Rule 26 Joint Status Report by means of the Court's CM/ECF System, which causes a true and correct copy of the same to be served electronically on all CM/ECF registered counsel of record, on January 20, 2012.

/s/ Douglas A. Albritton
Douglas A. Albritton