

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

JEFFREY C. BEARCE,)	
)	
Plaintiff,)	
)	
v.)	Docket no. 1:13-cv-001-GZS
)	
CITY OF WATERVILLE,)	
)	
)	
Defendant.)	

ORDER & REPORT OF CONFERENCE

In accordance with the prior Order (ECF No. 15), the Court held a conference of counsel on December 12, 2013 to discuss Defendant’s Notice of Intent to File Summary Judgment (ECF No. 14). Attorney Kevin Haskins appeared for Plaintiff. Attorneys Rosie Williams and Edward Benjamin appeared for Defendant. Following the conference, the Court hereby ORDERS that the following procedure be followed in connection with the to-be-filed motions:

On or before **January 8, 2014**, the parties shall file a joint stipulated record using the “Stipulated Record” event in CM/ECF. The first page of the Stipulated Record shall consist of a list describing each exhibit submitted. Each exhibit shall then be clearly labeled and separately attached to this filing. The Stipulated Record may include any exhibits and depositions¹ (including any exhibits to the depositions) that all sides agree will be referenced in the statements of material fact. The inclusion of any exhibit in the Stipulated Record does not prevent any party from later objecting to the admissibility of the document. Likewise, the submission of a joint

¹ To the extent any depositions are filed, counsel shall endeavor to ensure that any deposition excerpt is complete and includes all relevant pages. In the absence of an agreement on what constitutes a complete deposition excerpt, counsel shall include the complete deposition in the joint record.

record does not prevent either side from submitting additional documents with their respective statements of material fact.

The Court encourages the parties to file stipulations of fact that could serve to further streamline the parties' statements of material fact. The Court reminds the parties that they are free to indicate that any such stipulations are admissions solely for purposes of the to-be-filed summary judgment motions. See D. Me. Local Rule 56(g). Any stipulations will be considered by the Court in ruling on the motion and need not be reiterated or referenced in the statements of material fact. The parties are free to submit any stipulations on or before **January 8, 2014**.

On or before **January 22, 2014**, Defendant shall file its motion for summary judgment. Defendant's motion for summary judgment shall not exceed twenty (20) pages. See D. Me. Local Rule 7(e).

By **February 12, 2014**, Plaintiff shall file his opposition to Defendant's motion for summary judgment. Defendant's response shall not exceed twenty (20) pages. See id.

By **February 26, 2014**, Defendant shall file its reply in support of Defendant's motion for summary judgment, which shall not exceed seven (7) pages. See id.

The Court also expects the parties' summary judgment filings will comply with all aspects of Local Rule 56. Absent prior court approval, Defendant's statement of material facts shall not exceed one hundred (100) paragraphs. Any additional statement of material facts by Plaintiff shall not exceed fifty (50) paragraphs. The parties are reminded that Local Rule 56(f) requires specific record citations for all facts submitted in a statement of material facts. Absent a specific citation, the Court has no duty to consider any part of the record submitted. To the extent any party will rely on a page of the joint record for a specific citation, the Court

encourages the parties to use the “PageID #” generated by CM/ECF, particularly if the alternative pin citation may not be readily apparent to the Court.

With respect to the prior Scheduling Order deadlines (ECF Nos. 11, 9, 6), these deadlines shall remain stayed pending further order of the Court. To the extent that any issues remain for trial after the Court issues its final decision on the motions for summary judgment, the parties shall propose a revised scheduling order that re-establishes any necessary deadlines within fourteen (14) days of the filing of the Court’s final decision.

SO ORDERED.

/s/ George Z. Singal
United States District Judge

Dated this 12th day of December, 2013.