

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

PORTLAND REGENCY, INC., ET AL.,)	
)	
PLAINTIFFS)	
)	CIVIL No. 2:12-cv-408-DBH
v.)	
)	
RBS CITIZENS, N.A., ET AL.,)	
)	
DEFENDANTS)	

REPORT OF PRE-FILING CONFERENCE UNDER LOCAL RULE 56

A Local Rule 56 pre-filing conference was held on September 15, 2014.

The plaintiffs’ amended complaint asserts two contract-based claims for declaratory judgment (Counts I and II) and one tort-based claim for negligent/intentional misrepresentation (Count III). The defendants will move for summary judgment on all three counts.

The parties disagree on what law applies (New Hampshire, Maine or New York) and the choice of law may be different on the contract and tort claims and may even differ among the contractual documents. The parties agree on what the applicable documents are, and will provide one set of documents for me to use in deciding the motion. I notified the parties that they should use shorthand terms (*e.g.*, prepayment penalties) only if they agree to the meaning of the shorthand. If the parties do not agree on the shorthand, then they should use the contractual terms.

The following deadlines were established by agreement:

By October 17, 2014, the defendants will file the motion for summary judgment.

By November 17, 2014, the plaintiffs will respond to the motion for summary judgment.

By December 1, 2014, the defendants will file any reply.

SO ORDERED.

DATED THIS 16TH DAY OF SEPTEMBER, 2014

/s/D. BROCK HORNBY

D. BROCK HORNBY

UNITED STATES DISTRICT JUDGE