

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JAYME GORDON,

Plaintiff,

v.

DREAMWORKS ANIMATION SKG, INC.,
DREAMWORKS ANIMATION LLC, and
PARAMOUNT PICTURES, CORP.,

Defendants.

C.A. No. 1:11-cv-10255-JLT

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1(D)

In accordance with Local Rule 16.1(D), Plaintiff Jayme Gordon and Defendants DreamWorks Animation SKG, Inc., DreamWorks Animation LLC, and Paramount Pictures, Corp. submit this joint statement in preparation for a Scheduling Conference pursuant to Fed. R. Civ. P. 16(a) and Local Rule 16.1(A) scheduled for July 13, 2011. This statement is based upon the conference of counsel that was held pursuant to Fed. R. Civ. P. 26(f) and Local Rule 16.1(B) regarding an agenda for matters to be discussed at the scheduling conference and a proposed pretrial schedule for the case.

I. SUMMARY OF DISCOVERY CONDUCTED TO DATE

The parties have served their Initial Disclosures by July 6, 2011 pursuant to Local Rule 26.2(A).

II. PROPOSED DISCOVERY AND MOTION PLAN

Pursuant to Fed. R. Civ. P. 26 and Local Rule 16.1(D)(1)-(2), the plaintiff proposes the following pretrial schedule, provided, however, that nothing herein prevents the parties from requesting other types of discovery which shall be completed within the schedule below.

	EVENT	PLAINTIFF'S PROPOSED DEADLINE
A.	Deadline for joining additional parties and amending pleadings	October 07, 2011
B.	Deadline for the production of all requested documents by parties (except where a Local Rule or an Order of the Court requires earlier production)	September 16, 2011
C.	Completion of Fact Depositions and Third Party Document Production	April 06, 2012
D.	Court supervised mediation	April 9-13, 2012
E.	Deadline for the parties to identify trial experts for issues on which they bear the burden of proof and to serve the written reports for each such expert	May 15, 2012
F.	Deadline for the parties to identify any rebuttal experts and to serve the written reports for each such rebuttal expert	June 15, 2012
G.	Deadline for completing expert discovery	July 13, 2012
H.	Court supervised mediation	July 23-27, 2012
I.	Deadline for filing dispositive motions	August 31, 2012
J.	Target trial commencement date	December 10, 2012

The defendants propose the following pre-trial schedule, which provides for an acceleration of discovery on liability, and an early dispositive motion on liability, and bifurcates discovery as to damages until after the determination of a dispositive motion on liability, if it is still necessary.

EVENT		DEFENDANTS' PROPOSED DEADLINE
A.	Deadline for joining additional parties and amending pleadings	October 07, 2011
B.	Deadline for the production of all requested documents by parties as to liability issues (except where a Local Rule or an Order of the Court requires earlier production)	September 16, 2011
C.	Completion of Fact Depositions and Third Party Document Production as to liability issues	February 06, 2012
D.	Deadline for the parties to identify trial experts for liability issues on which they bear the burden of proof and to serve the written reports for each such expert	March 01, 2012
E.	Deadline for the parties to identify any rebuttal liability experts and to serve the written reports for each such rebuttal expert on liability issues	April 01, 2012
F.	Deadline for completing expert discovery as to liability issues	May 01, 2012
G.	Deadline for filing dispositive motions as to liability issues	June 01, 2012
H.	Deadline for completing fact discovery as to damages issues, if necessary	2 months from Court's ruling on dispositive motion(s)
I.	Deadline for parties to identify trial experts for damages issues on which they bear the burden of proof and to serve the written reports for each such expert, if necessary	2 weeks after completion of fact discovery on damages

EVENT		DEFENDANTS' PROPOSED DEADLINE
J.	Deadline for the parties to identify any rebuttal experts on damages and to serve the written reports for each such rebuttal expert, if necessary.	2 weeks after deadline for identification of initial experts on damages
K.	Deadline for completing depositions of damages experts, if necessary	1 month after deadline for identification of rebuttal experts on damages
L.	Target trial commencement date, if necessary	1 month after deadline for completion of expert depositions on damages

III. DISCOVERY LIMITATIONS

The parties agree to the limitations on discovery set forth in Local Rule 26.1(C) except for the number of depositions, which the parties agree shall be determined by the Court.

IV. TRIAL BY MAGISTRATE JUDGE

The parties do not consent to trial before a Magistrate Judge.

V. SETTLEMENT

Plaintiff has provided a written settlement proposal to Defendants no later than 10 days before the date for the scheduling conference in accordance with Local Rule 16.1(C).

VI. CERTIFICATIONS

Plaintiff's certification pursuant to Local Rule 16.1(D)(3) is attached hereto as Exhibit A. Defendants' certifications are attached as Exhibit B.

Dated: July 5, 2011

Respectfully Submitted,

JAYME GORDON,

DREAMWORKS ANIMATION SKG, INC.,
DREAMWORKS ANIMATION LLC, and
PARAMOUNT PICTURES, CORP.

By his Attorneys,

By their Attorneys,

/s/ Thomas A. Brown

/s/ Julia Huston

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CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this 5th day of July, 2011.

/s/ Thomas A. Brown

Thomas A. Brown