

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

INITIAL PRETRIAL CONFERENCE

Ellerbrock Family Trust et al.,
Plaintiffs,

v.

McGladrey & Pullen
Defendant.

COURT MINUTES

Case Number: CV 08-5370 JRT/FLN

| | |
|-----------------|------------------|
| Date: | January 16, 2009 |
| Court Reporter: | n/a |
| Time Commenced: | 8:55 a.m. |
| Time Concluded: | 9:10 |
| Time in Court: | 15 Minutes |

Pretrial Conference before Franklin L. Noel, United States Magistrate Judge, at Minneapolis, Minnesota.

APPEARANCES:

For Plaintiff: Geoffrey Jarpe; Jessica Karich

For Defendant: Steven Farina; Katherine Turner; Peter Koller

A. DESCRIPTION OF THE CASE

1. Nature of the case: Professional negligence claim against accounting firm

2. Legal and factual issues:

a) Liability: _____

b) Damages: Plaintiff seeks money damages

B. THE PLEADINGS

1. All filed? yes
 - a. Anticipated amendments? maybe
 - b. Additional parties? maybe
2. Jury demand:
 - a. yes ☒ no ☐
 - b. Any issue with respect to jury demand? _____
3. Amend Pleadings:
 - a. Add parties/claims/defenses 5/15/09
 - b. Punitive damages motion _____

C. DISCOVERY

1. Limitations on Discovery:
 - a) Interrogatories 50
 - b) Depositions 40 deposition days as described in Rule 26(f) report
 - c) Requests for Admission 75
 - d) Document Requests 150
 - e) Rule 35 Medical Exam _____
 - f) Other _____
2. Pre-Discovery Disclosures _____
3. Discovery cut-off 12/1/09
4. Other deadlines _____
5. Experts: YES ☒ NO ☐
 - a. Identity _____
Plaintiff 9/1/09 Defendant 10/1/09
 - b. Substance of Testimony _____
Plaintiff 12/18/09 Defendant 1/22/10
 - c. Depositions; Number 3-4; Date 3/1/10

D. MOTIONS

1. Non-dispositive class certification motion: 9/1/09
All other non-dispositive motions shall be filed and served by 3/1/10
2. Dispositive 5/1/10

E. TRIAL READINESS

a. Estimated Trial Time: 2-3 weeks

b. Trial Ready Date: 7/1/10

s/Franklin L. Noel
U. S. Magistrate Judge