

IN THE UNITED STATES DISTRICT COURT
 FOR THE EASTERN DISTRICT OF NORTH CAROLINA
 EASTERN DIVISION
 Civil Action No. 4:11-cv-00059-BO

SIRSI CORPORATION d/b/a)
 SIRSIDYNIX,)
)
 Plaintiff,)
)
 v.)
)
 CRAVEN-PAMLICO-CARTERET)
 REGIONAL LIBRARY SYSTEM,)
)
 Defendant.)

**REPORT OF THE PARTIES' PLANNING
 MEETING**

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure and this Court's July 26, 2011 Order, the Parties submit this report of their Planning Meeting:

I. RULE 26(F) CONFERENCE

On August 17, 2011, Robert T. Numbers, II, representing the Plaintiff, and Lee W. Bettis, Jr., representing the Defendant, participated in a Rule 26(f) conference via telephone.

II. INITIAL DISCLOSURES

The Parties shall exchange the initial disclosures required by Rule 26(a)(1) on or before August 31, 2011. Any party first served or otherwise joined to this action after the 26(f) Conference must make these disclosures within 30 days after being served or joined.

III. DISCOVERY PLAN

a. **SCOPE OF DISCOVERY:** Discovery is needed on the following subjects:

i. All issues raised by the pleadings of the parties to this action.

b. **LENGTH OF DISCOVERY PERIOD:** All discovery should be commenced in time to be completed by January 31, 2012.

c. **INTERROGATORIES:** Each party shall be entitled to serve 25 written interrogatories, including all discrete subparts, to another party. The time for responding to the interrogatories shall be governed by Rules 6 and 33 of the Federal Rules of Civil Procedure.

d. **REQUESTS FOR ADMISSION:** Each party shall be entitled to serve 25 written requests for admission to another party. The time for responding to the requests for admission shall be governed by Rules 6 and 36 of the Federal Rules of Civil Procedure.

e. **DEPOSITIONS:** Each party shall be entitled to take 10 depositions. The length of depositions will be governed by Rule 30 of the Federal Rules of Civil Procedure.

f. **EXPERT WITNESS DISCLOSURES:** The Parties do not anticipate a need for expert witnesses in this matter.

g. **SUPPLEMENTATION:** Supplementations under Rule 26(e) are due 21 days after the need to supplement arises.

IV. OTHER MATTERS:

a. **MEETING WITH THE COURT:** The Parties do not see a need to meet with the court prior to the issuance of a scheduling order.

b. **FINAL PRETRIAL CONFERENCE:** The Parties request that pretrial conferences be held on April 16, 2012.

c. **AMENDMENT OF PLEADINGS & JOINDER OF PARTIES:** The Plaintiff will be allowed until October 15, 2011 to request leave to join additional parties or amend its pleadings. The Defendant will be allowed until November 15, 2011 to request leave to join additional parties or amend its pleadings.

d. **DISPOSITIVE MOTIONS:** Pursuant to Local Rule 7.1, all potentially dispositive motions shall be filed by March 1, 2012, thirty days following completion of discovery.

e. **ALTERNATIVE DISPUTE RESOLUTION & POTENTIAL FOR SETTLEMENT PROSPECTS:** This matter was automatically selected for a mediated settlement conference pursuant to Local Rule 101.1a. The Parties believe the potential for settlement is unknown until the parties have conducted some discovery.

f. **RULE 26(a)(3) DISCLOSURES:** Each party will serve and file the disclosures required by Rule 26(a)(3) of the Federal Rules of Civil Procedure by April 2, 2012.

g. **OBJECTIONS TO RULE 26(a)(3) DISCLOSURES:** Each party may serve and file its objections to the other party's Rule 26(a)(3) disclosures by April 16, 2012.

h. **SUGGESTED TRIAL DATE & ANTICIPATED LENGTH:** The Parties expect this matter to be ready for trial by May 1, 2012, subject to rulings on any dispositive motions. The Parties anticipate that the trial of this matter will take 4 days.

i. **SERVING & FILING OF PLEADINGS:** All pleadings, motions, and other papers that are filed are to be served electronically as provided by the Federal Rules of Civil Procedure and the Local Rules. In addition, the parties shall serve by e-mail all discovery requests, written responses, and any other papers that are not filed with the Clerk of the Court. The serving party shall attach the pleading or paper in a "portable document format" (".pdf") or other form of electronic file. If transmissions of voluminous materials as an e-mail attachment are impractical, then those materials shall be served by overnight delivery via a service with the ability to track deliveries and verify receipt.

j. **PRODUCTION OF ESI:** Electronically Stored Information (“ESI”) shall be produced in searchable image files (e.g. TIFF) unless, in the rare event, providing searchable image files is unduly burdensome, in which case the parties shall consult to reach an agreement on an appropriate production format. The producing party shall maintain the electronically stored information in the format in which it exists at the time the discovery request was made. The foregoing does not preclude any party from requesting, without prejudice to any objections of the party receiving the request, the production of electronically stored information.

k. **PROTECTIVE ORDER:** The Plaintiff believes that a Protective Order may be necessary to protect confidential business information. Plaintiff will work with Defendant to agree on the form of such an order.

Dated: August 31, 2011.

/s/ Robert T. Numbers II
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CERTIFICATE OF SERVICE

This is to certify that on August 31, 2011, a copy of the foregoing was filed electronically with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

Lee W. Bettis , Jr.
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WOMBLE CARLYLE SANDRIDGE & RICE
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