

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO: 7:12-CV-20-FL

SHERRYL LYNN JACOBS,)
)
 Plaintiff,)
)
 v.)
)
 ROBESON COUNTY PUBLIC LIBRARY,)
 BOARD OF DIRECTORY FOR ROBESON)
 COUNTY PUBLIC LIBRARY, ROBERT F.)
 FISHER, HORACE STACY, GAYLE MCLEAN,)
 and TINA MELLEN STEPP THOMAS)
)
 Defendants.)
)

26 (F) REPORT

REPORT OF THE PARTIES' PLANNING MEETING

The following persons participated in a Rule 26(f) conference on April 30, 2012, in person:

Sherryl L. Jacobs, Plaintiff, and her husband Dr. Lynn B. Jacobs
William R. Purcell, II, representing the Defendants

Initial Disclosures. The parties will complete by May 14, 2012 the initial disclosures required by Rule 26(a)(1).

A. Discussion of Nature and Complexity of the Case:

This is not a complex case. Plaintiff contends that Defendants failed to reasonably accommodate her disabilities and harassment. Defendants contend that Plaintiff was not disabled, and that no reasonable accommodation was denied and that Plaintiff was terminated for misconduct unrelated to any alleged disability. Plaintiff alleges the Court has jurisdiction under the Americans with Disabilities Act. Plaintiff seeks TWO HUNDRED THIRTY THOUSAND

AND NO/100 DOLLARS (\$230,000.00) in compensatory damages that she calculates as ten (10) years X \$23,000, which does not take into consideration the pay increases she would have received as a Para-Professional by her planned retirement date. She also alleges she is entitled to punitive damages in amount of SEVEN HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$750,000.00). Defendants deny she is entitled to any damages.

B. Discovery Plan. The parties propose this discovery plan:

1. Discovery will be needed on these subjects:

Whether Plaintiff is disabled?

Whether Plaintiff requested reasonable accommodations?

Whether Defendants failed to make reasonable accommodations?

Whether Plaintiff's employment was terminated in violation of the ADA

2. Discovery will commence May 14, 2012. Expert Discovery should follow all other Discovery. All discovery should be completed by November 19, 2012.

3. Categories and Limitations:

- a. Maximum number of interrogatories by each party to another party, along with the dates the answers are due.

As provided in Rule 33 of the Federal Rules of Civil Procedure

- b. Maximum number of requests for admission, along with the dates responses are due.

35 Responses due in accordance with Rule 36 of the FRCP

- c. Maximum number of depositions by each party. **10**

- d. Limits on the length of depositions, in hours. **4**

4. No issues as to electronically stored information at this time.

5. No issues relating to claims or privileges at this time.

6. All discovery should be concluded by November 15, 2012, except for

expert discovery, if any. Plaintiff will designate any expert within fifteen (15) days of close of discovery and Defendants shall have thirty (30) days to depose Plaintiff's expert. Defendant will designate its expert fifteen (15) days after depositing Plaintiff's expert and Plaintiff shall have thirty (30) days to depose Defendant's expert(s). All discovery will be completed by February 15, 2013.

7. No particular discovery problems are anticipated at this time.

C. Other Deadlines


1. Dates for exchanging reports of expert witnesses.
Thirty (30) days after close of discovery
2. Final dates for the plaintiff to amend pleadings or to join parties.
May 30, 2012
3. Final dates for the defendant to amend pleadings or to join parties.
June 15, 2012
4. Final dates to file dispositive motions. **February 15, 2013**
5. Pretrial Conference – **at Courts discretion**
6. The trial will be a jury. Trial date is anytime after 15th of February. The only known complication is that counsel for the Defendants serves on the North Carolina State Bar Council which meets quarterly for 3-4 days.

D. Prospect of Settlement

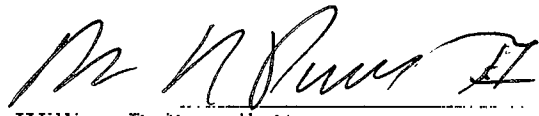
At this time it does not appear that settlement is likely. The parties would like to submit the case to mediation.

- E. The parties do not agree to submit all proceedings to a Magistrate Judge.
- F. No request for early Rule 16(b) conference.

Date: 11 May 2012


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Date: 11 May 2012


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This the 14th day of May, 2012

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon Plaintiff by depositing a copy thereof in the United States mail, first-class, postage prepaid, addressed as follows:

Ms. Sherryl Lynn Jacobs
Post Office Box 175
Orrum, North Carolina 28369

This the 14th day of May, 2012

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