Baker v. Meek et al Doc. 11

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION AT DAYTON

ROBERT BAKER,

Plaintiff,

Case No. 3:24-cv-313

VS.

WALTER MEEK, et al.,

District Judge Michael J. Newman Magistrate Judge Peter B. Silvain, Jr.

Defendants.

ORDER: (1) REQUIRING THE PARTIES TO MEET AND CONFER; (2) REQUIRING THE PARTIES TO FILE THEIR FED. R. CIV. P. 26(f) REPORT ON OR BEFORE JANUARY 27, 2025; AND (3) REQUIRING THE PARTIES TO MAKE INITIAL DISCLOSURES UNDER FED. R. CIV. P. 26(a)(1) ON OR BEFORE JANUARY 20, 2025

Defendants responded to the Court's show cause Order (Doc. No. 8), and the Court has reviewed Defendants' response (Doc. No. 9) and **CONCLUDES** it has subject-matter jurisdiction over the case. Pursuant to Fed. R. Civ. P. 16 and Fed. R. Civ. P. 26(f), the parties are **ORDERED** to informally confer in good faith and prepare a report as required by Fed. R. Civ. P. 26(f). The parties' Rule 26(f) report shall be filed with the Court on or before **January 27, 2025**. Unless otherwise agreed to by the parties in their Rule 26(f) Report, initial disclosures must be made as required by Rule 26(a)(1). Rule 26(a)(1) initial disclosures must be served upon all parties in the case **by January 20, 2025** and should not be filed with the Court unless submitted in support of a motion.

Pursuant to Fed. R. Civ. P. 7.1(a)(2), if this case is based on the assertion of diversity jurisdiction under 28 U.S.C. § 1332(a), "a party or intervenor must... file a disclosure statement, nam[ing]—and identify[ing] the citizenship of—every individual or entity whose citizenship is

-

¹ A form Rule 26(f) Report of the Parties (applicable in the Western Division at Dayton) is accessible on the Court's website at http://www.ohsd.uscourts.gov/ohio-southern-district-forms.

attributed to that party or intervenor[.]" This includes listing the citizenship of each member of

any LLC that is a party to this case. A form Diversity of Citizenship Disclosure Statement is

available on the Court's website at http://www.ohsd.uscourts.gov/ohio-southern-district-forms. If

a party did not file the Rule 7.1 Diversity of Citizenship Disclosure Statement at the time the case

was filed or removed to this Court, see Rule 7.1(a)(2)(A), the Diversity of Citizenship Disclosure

Statement shall be filed at the same time as the Rule 26(f) report.

The parties are ADVISED that failure to comply with any provision of this Order may

result in appropriate sanctions including, but not limited to, dismissal of this action or the entry of

a default judgment pursuant to Rule 16(f) and Rule 37(b)(2)(A). After the parties file their Rule

26(f) report, the Court intends to put on a scheduling order and to formally refer this matter to the

United States Magistrate Judge.

IT IS SO ORDERED.

January 6, 2025

s/Michael J. Newman

Hon. Michael J. Newman United States District Judge

2