

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

10:00 a.m. 09-CV-210 Reisinger v. City of Wilkes-Barre, et al.

ORDER¹

NOW, THIS 7th DAY OF April, 2009, IT IS HEREBY ORDERED THAT:

1. A Case Management Conference will be conducted by the Court on **Thursday, April 23, 2009**, at the specific time listed above. The conference will be conducted by **telephone** with Plaintiff's counsel initiating the call.² **Counsel are directed to file the case management form five (5) days prior to the case management conference in accordance with Rule 16.3(a) of the Local Rules of Court for the Middle District of Pennsylvania.**³

2. The purpose of this conference is to discuss all aspects of this case, including any pending motions, as well as a schedule for (a) the completion of discovery, (b) amendment of pleadings, (c) joinder of parties, (d) filing of motions, and (e) trial. Presently, joinder of third-party defendants is governed by Local Rules 14.1 and 14.2; amendment of pleadings of Fed. R. Civ. P. 15; the filing of pretrial motions by Local Rule 7.1; and the closing of discovery by Local Rule 26.4.. Unless modified at the Case Management Conference, these rules will continue to apply. The subjects of consideration at the Case Management Conference will also include those matters set forth in Fed. R. Civ. P. 16(b) and (c).

3. It is anticipated that, prior to the Case Management Conference, the parties, at a

¹**Counsel are directed to carefully and properly adhere to the dates and times specified in paragraphs one and four.**

²This Court's telephone number is 570-207-5710.

³A copy of the Joint Case Management Plan Form can be downloaded from the Middle District website at www.pamd.uscourts.gov

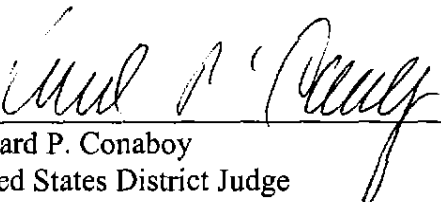
minimum, will have complied with the disclosure requirements of Fed. R. Civ. P. 26(a) so that a reasonable discussion of the merits will take place at the conference.

4. In accordance with Fed. R. Civ. P. 26(f) and Local Rule 16.3, lead counsel for each party shall meet in person as soon as practicable and in any event at least ten (10) days prior to the Case Management Conference to discuss the matters included in the Case Management Plan. As directed in Paragraph 1, the completed Joint Case Management Plan must be filed at least five (5) days prior to the Case Management Conference. Sanctions may be imposed if a party or a party's attorney fails to participate in good faith in the conference required by Fed. R. Civ. P. 26(f) and Local Rule 16.3(a). See, e.g., Fed. R. Civ. P. 37(g). Counsel are reminded that this case has been assigned to the September 14, 2010, Trial List. The Case Management Plan should comport with this date.

5. If the parties agree to refer this matter to a Magistrate Judge for pretrial and trial purposes, they should notify the Court in writing no later than three (3) days before the scheduled case management conference, and the conference will be cancelled. The case will then be referred to a Magistrate Judge who will re-schedule the case management conference.

6. In accordance with Fed. R. Civ. P. 16(c) and Local Rule 16.2, at least one of the attorneys for each party participating in the Case Management Conference shall be familiar with the case; shall have authority to enter into stipulations and to make admissions regarding all matters that the parties reasonably anticipate may be discussed; and shall have complete settlement authority. If an attorney does not have complete settlement authority, the party or person with full settlement authority shall be available by telephone. Counsel is responsible for notifying the person with settlement authority of the requirements of Local Rule 16.2, as well as the date of the Case Management Conference.

7. It is the affirmative duty of both counsel and the Court to avoid undue cost or delay in litigation. Counsel should be familiar with the Expense and Delay Reduction Plan adopted by the United States District Court for the Middle District of Pennsylvania, and are expected to comport themselves in a manner intended to secure the just, speedy and inexpensive determination of this action.


Richard P. Conaboy
United States District Judge

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DEPUTY CLERK