

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

**ANNE PEARSE-HOCKER,**

**Plaintiff,**

**vs.**

**FIRELIGHT MEDIA, INC.,**

**Defendant.**

**Case No. 1:10-CV-458 (CMH/TRJ)**

**JOINT DISCOVERY PLAN**

Plaintiff Anne Pearse-Hocker and Defendant Firelight Media, Inc., by and through their undersigned counsel, respectfully submit the following Joint Discovery Plan in accordance with this Court's July 16, 2010 Scheduling Order.

**I. Conference of the Parties**

On Monday, July 26, 2010, counsel for the parties met and considered the claims, defenses, possibilities of a prompt settlement or resolution of the case, trial before a Magistrate Judge, arrangements for Rule 26(a)(1) disclosures, and a discovery plan that will complete discovery by Friday, November 12, 2010.

**II. Settlement**

At the July 26, 2010, conference and in subsequent telephone conversations, counsel for the parties discussed the possibility of a prompt settlement of the case. Defendant believes that a prompt resolution would be in the interest of both parties, and has urged Plaintiff to actively participate in pre-discovery settlement negotiations, which could include the informal exchange

of relevant information and mediation. Plaintiff is in agreement that the informal exchange of relevant information would advance settlement negotiations. However, Plaintiff is of the view that there are certain critical facts which remain unknown to Plaintiff at this time and which must be made available to Plaintiff (whether informally as part of settlement negotiations or through discovery) before a mediation session would be likely to be productive. Additionally, Plaintiff would welcome the participation ion any mediation session of other parties with an interest in the outcome of the litigation, such as the Smithsonian Institution.

### **III. Trial by Magistrate Judge**

The parties do not consent at this time to trial before a Magistrate Judge.

### **IV. Initial Disclosures**

The parties shall serve their Rule 26(a)(1) initial disclosures on or before Friday, August 20, 2010.

### **V. Discovery Schedule**

#### **A. Pleading Amendments/Joinder of Parties**

The parties shall file any motions to amend pleadings or join additional parties on or before Friday, August 20, 2010.

#### **B. Expert Discovery**

Plaintiff shall serve her Rule 26 expert disclosures on or before Friday, September 24, 2010. Defendant shall serve its Rule 26 expert disclosures on or before Friday, October 22, 2010. Expert depositions shall be completed by the discovery deadline of Friday, November 12, 2010.

## VI. **Protective Order**

The parties may move the Court to enter a Stipulation and Order Governing Confidential Information providing for appropriate protection of confidential and proprietary information produced in discovery, and providing generally that material produced in discovery in this action shall be used solely for the prosecution or defense of this action.

Dated: July 27, 2010

Respectfully submitted,

THOMPSON HINE, L.L.P.

By: /s/ John B. O'Keefe (for ENH w/permission)  
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*Counsel for Defendant Firelight Media, Inc.*

## CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of July, 2010, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system and thereby cause a Notification of Electronic Filing to be served upon the following filing user of record:

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