

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Roanoke Division

ROBERT L. PASCO,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 5:11CV00087
)	
HANK ZIMMERMAN, <i>et al.</i> ,)	
)	
Defendants.)	

JOINT PROPOSED DISCOVERY PLAN AND RULE 26(f) REPORT

The plaintiff, Robert L. Pasco and the defendants, Hank Zimmerman, Shenandoah County Library, James Dallas Moore and the Board of Directors of the Shenandoah Library, by counsel, and pursuant to this Court's Scheduling Order of January 3, 2012, hereby provide the following report required by Fed. R. Civ. P. 26(f) and jointly propose the following plan for completion of discovery in this case:

I. Conference of Parties

The parties have conferred prior to this proposed plan to consider claims, defenses, possibilities of a prompt settlement, and to arrange for disclosures as required by Fed. R. Civ. P. 26(a)(1).

II. Initial Disclosures

The parties agree that initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) shall be made on or before February 21, 2012.

III. Settlement

The parties have conferred concerning the possibility for settlement, and have agreed to make efforts to engage in settlement discussions, including through mediation, as the matter continues, and particularly following the hearing set in this matter on February 7, 2012.

IV. Magistrate Judge

The parties have not agreed to try this matter in front of a United States Magistrate Judge.

V. Depositions, Interrogatories, Requests for Admission, Requests for Production

The parties agree that discovery shall be conducted pursuant to the Federal Rules of Civil Procedure and do not anticipate any need to modify those Rules at this time.

VI. Expert Witnesses

The parties agree to the following dates for identification of expert witnesses, which should modify the disclosure deadlines set forth in the Scheduling Order:

Plaintiff's Experts: April 2, 2012

Defendant's Experts: April 17, 2012

Plaintiff's Rebuttal Experts: May 2, 2012

These dates shall also apply for identification of treating physicians or healthcare providers. Except for this change in dates, the Scheduling Order shall control with respect to the designation of expert witnesses.

VII. Protective Order

The parties anticipate submitting a Stipulated Protective Order to the Court to address disclosure and use of confidential information, including employee or personnel information.

Respectfully submitted,

January 17, 2012

s/ Timothy E. Cupp

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