

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NOTICE SETTING COURT'S SCHEDULING CONFERENCE

Sarah Bradburn, et al,

Plaintiffs,

Case No. 2:CV-06-327-EFS

v.

North Central Regional Library District, et al,

Defendants.

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DATE: **02/21/2007** TIME: **9:15 A.M.** CONFERENCE TYPE:

A telephonic Court's Scheduling Conference will be held on the date and time noted above. The conference shall be held telephonically, with the parties dialing the court's public conference line (509) 376-8880 at the scheduled time. The use of cellular phones is prohibited.

FAILURE TO TIMELY FILE THE REQUIRED COMBINED ATTORNEY AND PRO SE REPORT AND DISCOVERY PLAN AND/OR TO ATTEND THE COURT'S SCHEDULING CONFERENCE SHALL AUTOMATICALLY RESULT IN THE IMPOSITION OF SANCTIONS IN THE MINIMUM AMOUNT OF \$50.00, ABSENT GOOD CAUSE SHOWN IN WRITING AND FILED WITH THE COURT.

THE PROVISIONS OF FED. R. CIV. P. 26 APPLY.

Counsel and pro se parties are directed to confer in advance of the Court's Scheduling Conference with respect to the following subjects:

- a. Service of Process on parties not yet served;
- b. Jurisdiction and venue;
- c. Anticipated motions;

- d. Disclosure required by Fed. R. Civ. P. 26(a)(1);  
At the Court's Scheduling Conference, be prepared to discuss the discovery plan as well as the parties' recommended dates for deadline for disclosing experts, discovery deadline, dispositive motion deadline; pretrial conference, trial date and length of trial; and the need for exceptional audio/visual courtroom technology;
- e. Appropriateness of special procedures such as (1) consolidation of actions for discovery or pretrial, (2) reference to a master or magistrate, to arbitration, or to the Judicial Panel on Multi-District Litigation, (3) application of the Manual for Complex Litigation, or **(4) bifurcation of the discovery process if either party anticipates seeking class certification, i.e. class certification-focused discovery & all other discovery.**
- f. Modification of the standard pretrial procedures due to the relative simplicity or complexity of the action or proceeding;
- g. Feasibility of bifurcation or otherwise structuring sequence of the trial;
- h. Any non-governmental corporate party to this action shall file a statement identifying any publicly traded corporation that owns 10 percent or more of the party's stock. Counsel and pro se parties have an on-going responsibility to supplement this information;
- i. Prior to the Court's Scheduling Conference, counsel and pro se parties shall advise the District Court Executive whether all parties will consent that this case may be tried by a full-time United States Magistrate Judge. See, 28 U.S.C. Section 636 as amended. Please execute the enclosed Consent to Magistrate Judge form within ten (10) days or advise the District Court Executive that there will be no consent within ten (10) days of this Notice;
- j. The prospects of settlement addressing whether there will be a point in the litigation short of discovery cutoff when the parties can conduct meaningful settlement discussions or participate in another form of alternative dispute resolution. See LR 16.2;
- k. Whether the case involves a minor or incompetent party and whether the appointment of a guardian ad litem is necessary. See LR 17.1;
- l. Any other matters, such as those delineated in Fed. R. Civ. P 16(c), which may be conducive to the just, efficient and economical determination of the action or proceedings, including the definition or limitation of issues.
- m. **A brief description of the claims and defenses.**

Counsel shall file with the court:

**NOT LESS THAN 10 DAYS IN ADVANCE OF THE COURT'S SCHEDULING CONFERENCE, a combined attorney and pro se report (or separate attorney and pro se reports) reflecting the results of their conference and the parties' position with respect to each subject of this notice, including THE PROPOSED DISCOVERY PLAN AS DISCUSSED IN FRCP 26(F). Parties are expected to comply with the spirit of Rule 26 and seek to minimize the time and expense of discovery.**

Counsel for each party and pro se parties shall attend the Court's Scheduling Conference prepared to address all of the above matters.

DATED: January 4, 2007

JAMES R. LARSEN, DISTRICT COURT EXECUTIVE CLERK

s/Debbie Brasel  
Deputy Clerk

All Counsel

Attachment: Consent to Magistrate Judge form