UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF INDIANA

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| In the Matter of:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  *Debtor**(s)* | Case No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Chapter \_\_\_\_ |
| **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  *Plaintiff*  vs.    **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  *Defendant* | Adv. Proc. No.: \_\_\_\_\_\_\_\_\_\_ |

**Report of the Parties’ Planning Meeting**

[The following is a template, and the parties may revise as necessary, so long as each of the issues in bold are addressed. Please do not leave any sections blank. Use “not applicable” if appropriate]

1. **Meeting.** The parties conferred via (telephone, in person, electronic mail) under Fed. R. Civ. P. Rule 26(f) and agreed to this report.

participated for the Plaintiff.

participated for the Defendant.

1. **Jurisdiction.** The Court has jurisdiction pursuant to: .
2. **Core Proceeding vs. Noncore Proceeding.**

* Plaintiff states this is a core proceeding.
* Defendant states this is a core proceeding.
* Plaintiff states this is a noncore proceeding.
* Defendant states this is a noncore proceeding.

1. **Consent for Final Judgment.**

* Parties agree to this Court entering Final Judgment.
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ does not / do not agree to this Court entering Final Judgment.

1. **Pre-Discovery Disclosures.** The parties will exchange, but may not file, Rule 26(a)(1) information by .
2. **Scope of Discovery.** Discovery will be needed on the following subjects:
   * + 1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
       2. ­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. **Discovery Deadline.** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is the last date to complete all discovery.

1. **Electronically Store Information.** The parties propose the following guidelines and limitations regarding the discovery of electronically stored information (“ESI”):

1. **Disclosure of ESI.** Disclosure or production of ESI will be limited to data that is reasonably available/accessible to the parties in the ordinary course of business.
2. **Scope and Format of ESI.** The scope of discovery or the format of the production of ESI may be further limited or modified by court order upon a showing of good cause or undue burden and expense. Further, depending upon the nature of the data produced, a protective order may be appropriate, as the court may approve.
3. **Inadvertent Production.** Under Rule 26(b)(5)(B), the inadvertent production of any privileged or otherwise protected ESI or documents will not be deemed a waiver or impairment of any claim of privilege or protection including but not limited to the attorney-client privilege or work product doctrine immunity, provided that the producing party promptly notifies the receiving party of the inadvertent production. Upon notification, the receiving party will retrieve and return any such material within a reasonable time, and the receiving party’s counsel will not use such information for any purpose until further order of the Court. Any analyses, memoranda or notes which were generated based upon such inadvertently produced information will immediately be treated in conformance with the protected nature of the information. The producing party must also preserve the information until any dispute regarding the ESI or documents is resolved. In the interests of economy and swift resolution of any dispute, the scope of the discovery and the form ESI is produced in may be further limited or modified by agreement by the parties.
4. **Interrogatories.** Without leave of the Court, a maximum of **\_\_\_\_\_** Interrogatories by each party to any other party, including all discrete subparts.
5. **Requests for Admissions.** Without leave of the Court, there will be a maximum of **\_\_\_\_\_** Requests for Admissions by each party to any other party. Requests relating to the authenticity or genuineness of documents are not subject to this limitation.
6. **Depositions.** Without leave of the Court, there will be a maximum of  depositions by plaintiff and  by defendants. This limitation on the number of depositions does not apply to depositions of expert witnesses or depositions to preserve the testimony of a witness that will not be available to testify at trial.
7. **Expert Reports.** The filing of reports from retained experts under Rule 26(a)(2) are due:
8. From Plaintiff by: , and
9. From Defendant by: .
10. **Objection to Expert Witnesses.** Any evidentiary objections to another party’s expert witness, whether directed to the witness’ qualifications or to the foundation for the anticipated testimony, must be filed by . Failure to file such objections is a waiver of any objection to opinion testimony outlined in the statement filed by the witness’ proponent.
11. **Rule 26(e) Discovery Supplementation.** Supplementation under Rule 26(e) is due as information becomes available but no later than the Discovery Deadline. In the event a party learns of new or different information after the Discovery Deadline, the party still has an ongoing duty to supplement the party’s discovery response(s).
12. **Amended Pleadings**. The last date for the parties to amend the pleadings without leave of the Court is .
13. **Dispositive Motion Deadline.** The last date for the filing of all potentially dispositive motions is .

The timing of filing pretrial disclosures under Fed. R. Civ. P. 26(a)(3) will be governed by separate order.

1. **Mediation.** The Parties have selected as the mediator. The parties shall mediate by .

Respectfully submitted,

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| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Attorney for Plaintiff | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Attorney for Defendant |