

FORM 3

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DIVISION
CIVIL FILE NO. _____

,
Plaintiff,

v.

RULE 26(f) REPORT

,
Defendant.

The parties/counsel identified below participated in the meeting required by Fed.R.Civ.P. 26(f), on _____, 20____, and prepared the following report.

The pretrial conference in this matter is scheduled for _____, 20____, at before the United States Magistrate Judge in Room , Federal Courts Building, _____, Minnesota. The parties request/do not request that the pretrial be held by telephone.

(a) Description of Case

(1) Concise Factual Summary of Plaintiff's Claims;

(2) Concise Factual Summary of Defendant's claims/defenses;

(3) Statement of Jurisdiction (including statutory citations);

(4) Summary of Factual Stipulations or Agreements;

(5) Statement of whether jury trial has been timely demanded by any party.

(b) Pleadings

(1) Statement of whether all process has been served, all pleadings filed and any plan for any party to amend pleadings or add additional parties to the action;

(2) Proposed date by which all hearings on motions to amend and/or add parties to the action shall be heard;

Date: _____

(c) Discovery Limitations

(1) The parties agree and recommend that the Court limit the use and numbers of discovery procedures as follows:

(A) interrogatories;

(B) _____ document requests;

(C) _____ factual depositions;

(D) requests for admissions;

(E) _____ Rule 35 medical examinations;

(F) other.

(d) Discovery Schedule/Deadlines

(1) The parties recommend that the Court establish the following discovery deadlines:

(A) _____ deadline for completion of non-expert discovery, including service and response to interrogatories, document requests, requests for admission and scheduling of factual depositions;

(B) deadline for completion of all Rule 35 medical examinations;

(C) other.

(e) Experts

The parties anticipate that they will/will not require expert witnesses at time of trial.

(1) The plaintiff anticipates calling _____ (number) experts in the fields of:

(2) The defendant anticipates calling _____ (number) experts in the fields of:

(3) The parties pursuant to Local Rule 26.3(a), recommend the disclosure and discovery option as follows:

(4) The parties recommend that the Court establish the following deadlines for disclosure of experts and experts' opinions consistent with Rule 26(a)(2) as modified by Local Rule 26.3:

(A) Deadlines for all parties' identification of expert witnesses (initial and rebuttal). (Fed. R. Civ. P. 26(a)(2)(A).)

(B) Deadlines for completion of disclosure or discovery of the substance of expert witness opinions.

(C) Deadlines for completion of expert witness depositions, if any.

(f) Motion Schedule

(1) The parties recommend that motions be filed and served on or before the following date:

(A) _____ non-dispositive motions;

(B) _____ dispositive motions.

(g) Trial-Ready Date

(1) The parties agree that the case will be ready for trial on or after _____;

(2) A final pretrial conference should be held on or before _____.

(h) Insurance Carriers/Indemnitors

List all insurance carriers/indemnitors, including limits of coverage of each defendant or statement that the defendant is self-insured.

(I) Settlement

(1) The parties will discuss settlement before _____, the date of the initial pretrial conference, by the plaintiff making a written demand for settlement and each defendant making a written response/offer to the plaintiff's demand.

(2) The parties believe that a settlement conference is appropriate and should be scheduled by the Court before _____.

(3) The parties have discussed whether alternative dispute resolution (ADR) will be helpful to the resolution of this case and recommend the following to the Court:

(j) Trial by Magistrate Judge

(1) The parties have/have not agreed to consent to jurisdiction by the Magistrate Judge pursuant to Title 28, United States Code, Section 636(c). (If the parties agree, the consent should be filed with the Rule 26(f) Report.)

DATE: _____

Plaintiff's Counsel

License #

Address

Phone #

DATE: _____

Defendant's Counsel

License #

Address

Phone #

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