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15 ABC Enterprises, Inc.

16 UNITED STATES DISTRICT COURT
17 CENTRAL DISTRICT OF CALIFORNIA

18 John Smith,

19 Plaintiff,

20 v.

21 ABC Enterprises, Inc.,

22 Defendant.

23 Case No. CV11-0000 GHI (MANx)

24 JOINT RULE 26(f) REPORT

25 Plaintiff John Smith and Defendant ABC Enterprises, Inc., respectfully
26 submit the following Joint 26(f) Report.

27 Plaintiff and counsel for Defendant held a telephonic planning meeting on
28 January 4, 2012.

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1 **JOINT RULE 26(F) REPORT:**

2 **A. Synopsis of the Case, Claims and Defenses.**

3 Plaintiff's Position:

4 Plaintiff seeks money damages and injunctive relief against Defendant for
5 various act of employment discrimination, including racial discrimination, age-
6 based discrimination, and retaliation for Plaintiff's having filed an EEOC
7 complaint against Defendant.

8 Defendant's Position:

9 Defendant denies all of the allegations in Plaintiff's complaint.

10 **B. Synopsis of Principal Legal Issues in the Case.**

11 Plaintiff's Position:

12 Defendant discriminated against him by denying him a promotion based on
13 his race and age. After Plaintiff filed an EEOC complaint, Defendant then
14 retaliated against him by reducing his hours.

15 Defendant's Position:

16 Defendant denies all of the allegations in Plaintiff's complaint.

17 **C. Additional Parties or Amendment of Pleadings.**

18 Plaintiff's Position:

19 Plaintiff may file an amended complaint after receiving information through
20 discovery.

21 Defendant's Position:

22 Defendant does not anticipate the amendment of pleadings for any reason.

23 **D. Contemplated Law and Motion.**

24 Plaintiff's Position:

25 Plaintiff may file a motion for summary judgment.

26 Defendant's Position:

27 Defendant intends to file a motion for summary judgment.

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1 **E. Settlement Discussions.**

2 Plaintiff's Position:

3 The parties have discussed settlement, but have not been able to reach any
4 agreement. Plaintiff is willing to continue settlement discussions.

5 Defendant's Position:

6 Defendant is willing to continue settlement discussions.

7 **F. Discovery and Experts.**

8 Plaintiff's Position:

9 Plaintiff will provide initial disclosures pursuant to the Federal Rules of
10 Civil Procedure and court orders.

11 Plaintiff anticipates serving Requests for Admission, Interrogatories, and
12 Requests for Production.

13 Plaintiff does not anticipate using expert witnesses at this time.

14 Plaintiff does not believe that a formal discovery plan is necessary.

15 Defendant's Position:

16 Defendant has provided disclosures under Federal Rule of Civil Procedure
17 26(a). Defendant intends to avail itself of Interrogatories, Requests for Admission,
18 Requests for Production, Depositions, and any other methods of discovery
19 available under the Federal Rules of Civil Procedure.

20 **G. Trial Estimate.**

21 Plaintiff's Position:

22 Plaintiff estimates 4 days for a jury trial.

23 Defendant's Position:

24 Defendant estimates 5 days for a jury trial.

25 **H. Complexity of Case.**

26 Plaintiff's Position:

27 This is not a complex case.

28 ///

1 Defendant's Position:

2 Defendant agrees with Plaintiff's assessment.

3 **I. Severance, Bifurcation or Other Ordering of Proof.**

4 Plaintiff's Position:

5 Plaintiff does not propose severance, bifurcation, or other ordering of proof
6 at this time.

7 Defendant's Position:

8 Defendant agrees with Plaintiff's position.

9 **J. Other Issues Affecting Case Management.**

10 Plaintiff's Position:

11 None.

12 Defendant's Position:

13 Defendant knows of no other issues affecting case management.

14 **K. Proposed Pre-Trial and Trial Dates.**

15 Plaintiff's Position:

16 Discovery cutoff date: November 26, 2012.

17 Final day to file motions: January 28, 2013.

18 Pretrial conference date: April 29, 2013.

19 Trial date: May 14, 2013.

20 Defendant's Position:

21 Discovery cutoff date: January 10, 2013.

22 Final day to file motions: March 1, 2013.

23 Pretrial conference date: May 5, 2013.

24 Trial date: June 14, 2013.

25 **L. Recommended Settlement Procedure.**

26 Plaintiff's Position:

27 Plaintiff requests a settlement conference before the Magistrate Judge.

28 Plaintiff believes that a settlement conference before a Magistrate Judge is

1 warranted because Plaintiff's status as a *pro se* litigant qualifies as an extraordinary
2 circumstance.

3 Defendant's Position:

4 Defendant requests settlement before a panel mediator.

5
6 DATED: _____

John Smith

7
8 _____
By: John Smith
9 Plaintiff in pro per

10
11 DATED: _____

Jones & Miller, PC

12
13 _____
By: James Miller
14 Attorneys for Defendant, ABC Corporation