

UNITED STATES BANKRUPTCY COURT
Northern District of Alabama, Eastern Division

In re: }
 }
[Insert name(s) of debtor(s)] } **CASE NO.**
 }
 }
 Debtor(s), } **CHAPTER**
 }
 }

[Insert name(s) of plaintiff(s)], }
 }
 Plaintiff(s) }
 } **A.P. NO.**
v. }
 }
 }
[Insert name(s) of defendant(s)], }
 }
 }
 Defendant(s) }

REPORT OF PARTIES' PLANNING MEETING

INSTRUCTIONS: Please complete this Report during the Fed. R. Civ. P. 26(f) conference of parties. File the completed Report with the Clerk of Court, **and** e-mail a copy in Microsoft Word or WordPerfect format to ordersjjr@alnb.uscourts.gov. The parties are free to change any of the dates or deadlines already included in this Report, and the Court will use this Report in completing the Scheduling Order. However, the final Scheduling Order will supersede any dates or deadlines requested in this Report.

In this Adversary Proceeding, the parties and their counsel shall timely comply with the following:

1. Pre-Discovery Disclosures. The parties [have exchanged][will exchange by] [date] the information required by Fed. R. Civ. P. 26(a)(1).
2. Discovery Limitations and Deadlines.
 - a. Discovery will be needed on the following subjects: [briefly describe].
 - b. All discovery will be commenced in time to be completed by [date].
 - c. Maximum of ___ interrogatories by each party to any other party. Responses due 30 days after service.

d. Maximum of ___ request for admission by each party to any other party. Responses due 30 days after service.

e. Maximum of ___ depositions by plaintiff(s) and ___ by defendant(s).

f. Each deposition [other than of _____] is limited to maximum of ___ hours unless extended by agreement of parties. Parties and counsel shall be reasonable and cooperate in order to complete depositions.

g. Reports from retained experts under Fed. R. Civ. P. 26(a)(2)(B) due:

From plaintiff(s) [date];

From defendant(s) [date].

h. Supplementations under Fed. R. Civ. P. 26(e), are due in writing within 15 days after a party or counsel learns of information that requires supplementation or correction of prior discovery responses; provided that if such information is learned within 15 days before or during trial, then supplementation or correction is due immediately.

3. Additional Parties and Amendments to Pleadings. Plaintiff(s) are allowed until [date] to join additional parties and until [date] to amend the pleadings.

Defendant(s) are allowed until [date] to join additional parties and until [date] to amend the pleadings.

4. Dispositive Motions. All potentially dispositive motions are to be filed by [date]. All responses thereto are due 14 days after service of the motion. Memoranda, briefs, affidavits, deposition excerpts, discovery responses, authorities and other supporting materials are to be filed with the motions and responses. **Unless the Court directs otherwise, parties are to deliver (by mail or hand delivery) to the Court's Chambers in Anniston one hard copy of such motions, responses and supporting materials on the same day the originals are filed with the Clerk.** The Court will notify the parties of any hearing on any such motion and response. The Court may rule on dispositive motions without a hearing.

5. Final Witness and Exhibit Lists - Objections. Final lists of witnesses and exhibits for trial under Fed. R. Civ. P. 26(a)(3) are due 30 days before trial. Motions in Limine are due at the time final witness and exhibit lists are filed.

Parties have 14 days after service of final lists of witnesses and exhibits to serve objections under Fed. R. Civ. P. 26(a)(3). Objections not timely made and served, other than objections under Rules 402 and 403 of the Federal Rules of Evidence, are waived unless excused by the Court for good cause.

6. Pretrial Conference. A pretrial conference will be held on approximately two weeks before

trial in the Bankruptcy Courtroom, [1129 Noble Street, Anniston, Alabama 36201] [600 Broad Street, Gadsden, Alabama 35901]. Any counsel and pro se party may attend by telephone if they furnish the Courtroom Deputy with their telephone number at least two business days before the conference. Counsel and pro se parties are to be available at these telephone numbers for one hour from the set time for the conference.

7. Trial. This Adversary Proceeding will be ready for trial by *[date]*. Parties and witnesses are expected to be fully prepared to go forward with trial on such date and at such time. The parties estimate trial will take ____ *[hours/days]*. The Court may set time limits for each party to put on their case. Continuances will be allowed only under exceptional circumstances not within the control or reasonable expectations of counsel and the parties. **Unless notification is given otherwise, the trial shall take place at the same location as the Pretrial Conference.**
8. Core. Expressly state each party's position as to the core or non-core nature of the proceeding. If a party believes an aspect of this proceeding is non-core, state with particularity which aspects are believed to be core and which are non-core, and by which party.
9. Consent to Entry of Final Orders by Bankruptcy Court. Regardless of the core/ non-core designation, do the parties consent to the entry of final orders by the bankruptcy court, subject to normal appellate review under 28 U.S.C. § 158? [expressly state yes or no for each party, and if no, describe with particularity the aspect(s) of this proceeding for which such consent is withheld, and by which party].
10. Other.

Signature of Attorney for Plaintiff (or pro se Plaintiff)

Signature of Attorney for Defendant (or pro se Defendant)