

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

In re:

Case No. _____

[DEBTOR(S)],

Chapter _____

Debtor(s).

Hon. James W. Boyd

_____/

[PLAINTIFF(S)],

Plaintiff(s),

Adv. Pro. No. _____

v.

[DEFENDANT(S)],

Defendant(s).

_____/

REPORT PURSUANT TO FED. R. BANKR. P. 7026(f)

Pursuant to Fed. R. Bankr. P. 7026(f), a conference was held on _____, 20____. The following persons participated in the conference:

[NAME] on behalf of [PARTY] (the "Plaintiff(s)"); and
[NAME] on behalf of [PARTY] (the "Defendant(s)").

This report is being submitted pursuant to the First Pretrial Order previously entered by the Court in the above-captioned adversary proceeding.

(1) Initial Disclosures Required by Fed. R. Bankr. P. 7026(a)(1).

[] The parties will provide such by _____, 20____; or

[] The parties agree to provide the following at the times indicated:

(2) Discovery Plan. The parties jointly propose to the Court the following discovery plan: [Use separate paragraphs or subparagraphs as necessary if parties disagree.]

(a) Discovery will be needed on the following subjects: [brief description of subjects on which discovery will be needed].

- (b) All discovery commenced in time to be completed by _____, 20____.
- (c) Maximum of _____ interrogatories by each party to any other party. [Responses due _____ days after service if deviation from Fed. R. Bankr. P.]
- (d) Maximum of _____ requests for admission by each party to any other party. [Responses due _____ days after service if deviation from Fed. R. Bankr. P.]
- (e) Maximum of _____ depositions by Plaintiff(s) and _____ by defendant(s).
- (f) Each deposition [other than of _____] limited to maximum of _____ hours unless extended by agreement of the parties.
- (g) Reports from retained experts under Fed. R. Bankr. P. 7026(a)(2) due:
 - (i) from Plaintiff(s) by _____, 20____
 - (ii) from Defendant(s) by _____, 20____.
- (h) Supplementation under Fed. R. Bankr. P. 7026(e) due [time(s) or interval(s)].

(3) Electronically Stored Information. [Insert description of any issues anticipated regarding disclosure, discovery or preservation of electronically stored information, including the form in which it should be produced.]

(4) Claims of Privilege and/or Protection. [Insert description of any privilege and/or protection issues, any agreement of the parties with respect to the same, and any request for an order approving the agreement pursuant to Fed. R. Evid. 502.]

(5) Other Agreed Upon Items. [Use separate paragraphs or subparagraphs as necessary if parties disagree.]

- (a) Plaintiff(s) should be allowed until _____, 20____ to join additional parties and until _____, 20____ to amend the pleadings.
- (b) Defendant(s) should be allowed until _____, 20____ to join additional parties and until _____, 20____ to amend the pleadings.
- (c) All potentially dispositive motions should be filed by _____, 20____.

(d) The proceeding should be ready for trial by _____, 20____.
The trial is expected to take approximately _____ trial days.

(e) Jury Trial Matters.

(i) a jury trial was not timely demanded and is waived; or

a jury trial was timely demanded, but is waived; or

a jury trial was timely demanded but not waived.

(ii) the parties consent to the Bankruptcy Court conducting the jury trial; or

the parties do not at this time consent to the Bankruptcy Court conducting the jury trial.

(f) The parties agree that:

This is a core proceeding; or

This is a non-core proceeding otherwise related to the bankruptcy case.

(g) [State whether each party consents to the entry of a final order or judgment in this proceeding.]

(6) Proportionality of Discovery. [Insert any proposed terms to address proportionality of discovery under Fed. R. Civ. P. 26(b)(1)-(2).]

(7) Other matters.

(8) Matters not agreed upon or insufficiently addressed by the foregoing.

Dated: _____, 20____

Dated: _____, 20____

Counsel for [PARTY]

Counsel for [PARTY]