

[Caption and Name of Parties]

Report of Parties Planning Meeting

1. **Meeting.** Pursuant to FED. R. CIV. P. 26(f), a meeting was held on [date] at [place] and was attended by :

[name] for plaintiff[s]
[name] for defendant[s]

2. **Nature of the Case**

- a. The case involves the following claims and counterclaims:

[Include a brief description]

- b. The basis for federal jurisdiction is:

[state basis]

3. **Pre-trial Schedule.** 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. Disclosures pursuant to FED. R. CIV. P. 26(a)(1) to be made by [date]. All discovery to be commenced in time to be completed by [date].

- c. The parties have discussed discovery of electronically stored information ["ESI"]. The parties acknowledge their obligation to take reasonable and proportionate steps for preserving relevant and discoverable ESI within their possession, custody, or control. The parties acknowledge, further, that requests for ESI, and responses to those requests, must be reasonably targeted, clear, and as specific as practicable. The parties propose the following methodologies for identifying ESI, eliminating duplicative ESI, developing filters or keywords for searches:

[brief description of ESI discovery methodologies]

- d. The parties expect they will need approximately [#] depositions.

- e. Reports from retained experts under Rule 26(a)(2) due:

from plaintiff[s] by [date]
from defendant[s] by [date]

- f. All potentially dispositive motions should be filed by [date].

[Note: The court will not consider a summary judgment motion until the parties have first discussed settlement. Any motion for summary judgment must be accompanied by a statement signed by lead counsel for both parties certifying that they have engaged in good faith settlement efforts.]

4. **Trial Schedule**

- a. Final pretrial order: Plaintiff to prepare proposed draft by [date]; parties to file joint final pretrial order by [date].
- b. The case should be ready for trial by [date] and at this time is expected to take approximately [length of time].

5. **Expected Evidentiary Proceedings**

The parties anticipate there may be the following types of evidentiary hearings: [list such hearings as preliminary injunction proceedings; *Markman* or claims construction hearings; *Daubert* hearings; bench or jury trial].

6. **Settlement.** At least 7 days prior to the Rule 16[b] scheduling conference, plaintiff[s] is directed to make a written settlement demand to the defendant[s]. At least 3 days prior to the scheduling conference defendant[s] is to respond in writing to the plaintiff's settlement demand.
7. **Consent.** Parties [do] [do not] consent unanimously to proceed before a Magistrate Judge.

Date: _____

/signed by all counsel