

The Initial Status Report shall adhere to the following format. If the parties cannot agree on a joint statement as to any particular issue(s), their respective positions should be recited:

**A. Nature of the Case**

1. Attorneys of record, and lead trial counsel, for each party.
2. Basis for federal jurisdiction.
3. Nature of the claim(s) and any counterclaim(s), including the amount of damages and other relief sought.
4. Whether the defendant will answer the complaint or, alternatively, whether the defendant will otherwise plead to the complaint.
5. Principal legal and factual issues.
6. Which defendants have been served with process, which defendants have not been served, and the status of efforts to effect service on the unserved defendants.

**B. Proceedings to Date**

1. Summary of all substantive rulings (including discovery rulings) to date.
2. Description of all pending motions, including date of filing and briefing schedule.

**C. Discovery and Case Plan**

1. Summary of discovery, formal and informal, that has already occurred.
2. Whether discovery will encompass electronically stored information, and the parties' plan to ensure that such discovery proceeds appropriately.
3. Proposed scheduling order.
  - a. Deadline for Rule 26(a)(1) disclosures, or why Rule 26(a)(1) disclosures are not appropriate.

- b. Deadline for issuing written discovery requests.
  - c. Deadline for completing fact discovery.
  - d. Whether discovery should proceed in phases.
  - e. Whether expert discovery is contemplated and, if so, deadlines for Rule 26(a)(2) disclosures and expert depositions.
  - f. Deadline for amending the pleadings and bringing in other parties.
  - g. Deadline for filing dispositive motions.
- 4. Whether there has been a jury demand.
  - 5. Estimated length of trial.

**D. Settlement**

- 1. Describe settlement discussions to date and whether those discussions remain ongoing.
- 2. Whether the parties request a settlement conference.

**E. Magistrate Judge**

- 1. Whether the parties consent to proceed before a magistrate judge for all purposes.
- 2. Any particular matters that already have been referred to the magistrate judge, and the status of those proceedings.