

**RULE 26(f) REPORT INSTRUCTIONS**  
**U.S.District Judge Richard T. Haik, Sr.**

**NOTE:** Mail, e-mail, or deliver the original Rule 26(f) Report directly to the Magistrate Judge assigned to the case. DO NOT SEND THIS REPORT TO THE CLERK OF COURT. If you wish to e-mail the report, you must e-mail the ORDER in WORD PROCESSING format, and the Rule 26(f) Report in PDF format to the appropriate e-mail address. For Magistrate Judge Hill send to [hill\\_orders@lawd.uscourts.gov](mailto:hill_orders@lawd.uscourts.gov). For Magistrate Judge Hanna sent to [hanna\\_orders@lawd.uscourts.gov](mailto:hanna_orders@lawd.uscourts.gov). You are still obligated to provide opposing counsel with a copy of the submission.

**1. Participants:**

List all counsel participating in the conference and the parties they represent.

**2. Affirmation Regarding Initial Disclosures:**

The parties shall affirm that they have complied with the initial disclosure requirements of FED. R. CIV. P. 26(a)(1) by the deadline contained in the Scheduling Order. (If counsel have not complied, counsel must explain why they have not.)

**3. Jurisdictional Basis:**

The parties shall state the jurisdictional basis for the suit and any objections to jurisdiction.

**4. Brief Description of Claims:**

Each party asserting a claim, counterclaim, cross-claim, third-party claim or intervention shall *briefly* state the following (*do not simply repeat the pleadings here*): (a) the specific facts which support the claim or claims; (b) the law and any contractual provision supporting the claim; and (c) the remedy prayed for as to each defendant.

**5. Brief Statement of Responses:**

Each party against whom a claim has been asserted shall provide the following information: (a) the basis or lack thereof for each claim; (b) all affirmative defenses asserted and the legal bases therefor; and (c) whether the dispute in question is one of law, fact, or contractual interpretation.

**6. Anticipated Amendments to Pleadings and Motions:**

The parties shall identify any amendments to pleadings or motions (dispositive or otherwise) that the party anticipates filing.

**7. Anticipated Expert Witnesses:**

Please list by name, if known, field of expertise, and subject matter of testimony.

**8. Discovery Plan:**

The parties have received a discovery plan in the Scheduling Order previously issued in this case. If the parties conclude that a more case specific Scheduling Order is required provide here or notify if a telephone conference with the Magistrate Judge would be helpful to create same.

**9. Stipulations:**

List any matters to which the parties can stipulate. Counsel are encouraged to stipulate to as many factual and legal issues as possible in the interests of reducing pretrial costs and delays.

**10. Major Issues of Fact and Law in Dispute:**

List here the major issues of fact and law in dispute.

**11. Related Case Information:**

Please state whether this case is related in any way to any other pending case, whether federal or state, civil or criminal. If so, please list 1) the name of the related case; 2) the court in which it is pending; 3) the docket number; 4) the assigned judge(s); and 5) a brief description of how the cases are related.

**12. Rule 16 Conference:**

The parties are advised that a Rule 16 conference with the assigned magistrate judge may be beneficial. Such conferences can be held in chambers or by telephone, and often result in a substantial reduction in the time and expense spent in pretrial preparation. **Each party shall state whether the party believes a Rule 16 conference would be beneficial. If there is consensus, please provide four mutually convenient dates and times for a conference.** In certain cases, the magistrate judge may *sua sponte* schedule a Rule 16 conference.

**13. Alternative Dispute Resolution (ADR):**

Counsel shall affirm that prior to the Rule 26(f) conference counsel obtained their clients' desires as to ADR and that at the Rule 26(f) conference counsel discussed in good faith the feasibility of using ADR. **Counsel shall state whether ADR will be pursued, and if so, at what stage of the litigation. If the parties agree that a settlement conference with a judicial officer would be productive, please set forth four mutually convenient dates and times for a conference.**

**Note:** as a pre-requisite to a settlement conference with a judicial officer, all counsel and/or parties must have exhausted good faith efforts to settle without judicial involvement.

**14. Consent Trials:**

Counsel are advised of their right to consent to trial by a Magistrate Judge pursuant to 28 U.S.C. § 636(c). All counsel and/or unrepresented parties must complete and sign the [AO85 – Notice, Consent, and Reference of a Civil Action to a Magistrate Judge](#) to establish consent jurisdiction. Consents to proceed before the Magistrate Judge shall be e-mailed to: [lawdml\\_consents@lawd.uscourts.gov](mailto:lawdml_consents@lawd.uscourts.gov). Consents are **not** to be filed into the record by the parties.

**15. Track Assignment:**

This case is assigned to the general civil track; however, the parties may request a transfer to the accelerated or standby docket. The necessary forms to request a change of docket status are available from the Clerk of Court at Lafayette, Louisiana.

**16. Electronic Courtroom:**

Counsel shall state here whether this case will be document-intensive, i.e., requiring the admission of a large number of documents at trial. If so, counsel shall set out their best estimate of the number of pages and/or documents involved and plan to conduct all discovery and trial presentation for CD-ROM.

NOTE: In jury trials, the court generally requires that documents or exhibits be shown to the jury via use of the "Visual Presenter" or a CD-ROM. This is particularly true in document-intensive jury trials. The requirements of the assigned trial judge as to this case will be discussed more fully with counsel at the final pretrial conference. The CD-ROM must be delivered to the Courtroom Deputy at least one week before trial.

In Judge Haik's cases, counsel will affirm in the final pretrial order that they are familiar with the Visual Presenter and its operation or note the date they have scheduled with this Court's Courtroom Deputy for training. They will also affirm that they have placed documents on CD-ROM in those cases deemed "document intensive" in this Rule 26(f) Report.

**17. Electronically Generated Exhibits or Aids:**

Any party who anticipates using electronically-generated exhibits or demonstrative aids at trial shall describe the anticipated exhibit or aid here. "Electronically generated exhibits or aids" refers to any exhibit or demonstrative aid which is CREATED in whole or in part with the aid of computer software, but excludes evidence which is MERELY to be EXHIBITED or presented by way of computer, CD-ROM or video presenter.

**18. Phase II Discovery:**

Parties are to notify this Court whether "Phase II" discovery as noted in Paragraph 8 of the Scheduling Order will be needed.

**19. Handicap Provisions:**

If the parties anticipate the need for handicap accommodations for any party, witness or trial participant, it is necessary to advise the Court in advance of trial. Please identify the nature of the handicap so the necessary accommodations can be made.

NOTE: Wheelchair accommodations or hearing impaired.