

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES LOUISIANA

CIVIL ACTION NO.

VERSUS

JUDGE JAMES D. CAIN, JR.

MAGISTRATE JUDGE

JOINT RULE 26(f) REPORT¹

Type of Trial (Jury/Bench) _____

Estimated length of trial is _____ court days.

1. **Participants:** List 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 not, explain why.
3. **Jurisdiction 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 Response:** 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 the 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.

¹ **INSTRUCTION TO COUNSEL.** Electronically file the Rule 26(f) report in the record seven days prior to the Scheduling Conference.

8. **Discovery Plan:** Counsel should consult the sample scheduling orders provided on Judge Cain's page at www.lawd.uscourts.gov. If the deadlines provided in that order may be unworkable for their case and they require additional/different deadlines, they should state their proposal and be prepared to discuss any modifications at their scheduling conference.

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 interest 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:**

12. **Alternative Dispute Resolution (ADR):** Counsel shall affirm that prior to the Rule 26(f) conference counsel discerned 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.

13. **Consent Trials:** Counsel are advised of their right to consent to trial by a Magistrate Judge pursuant to 28 U.S.C. § 636(c).

14. **Electronic Courtroom:** See www.lawd.uscourts.gov (Attorneys: Electronic Courtroom)

15. **Handicap provisions:** If the parties anticipate the need for handicap accommodations for any party, witness or trial participant, they must advise the court in advance of trial. Please identify the nature of the handicap so the necessary accommodations can be made.

WE HEREBY CERTIFY THAT THE FOREGOING IS ACCURATE AND COMPLETE.

Signature of Counsel

Date