

## JOINT STATUS REPORT INSTRUCTIONS

Counsel for the parties are directed to **meet and confer in person, and conduct a joint conference at a time and place arranged by counsel for the plaintiff(s), the purpose of which is the preparation of a joint status report.** Instructions for the preparation of the report are set forth below:

Counsel shall file an original and two copies of the joint status report at the District Court Clerk's Office. The report shall be filed with the Clerk ninety (90) days after the issue has joined, or in the alternative, as directed by the Court. The report shall be prepared in accordance with and respond to the numbered paragraphs set forth below. **In preparing the joint status report, reproduce (type in) each numbered paragraph as a preface to the response submitted.**

1. The date and place of the conference of trial counsel, the duration thereof, and the names and addresses of counsel participating.

2. A summary of the pleadings of each party.

3. A statement of any disagreement to the jurisdiction and venue of the Court, including citations of applicable authorities in support of each side's contentions.

4. The status of matters which are presently set before the Court, e.g., hearings, motions, trial date, etc.

5. The status of discovery. If discovery has not been completed, then the report shall set forth a detailed and precise time schedule for the full completion thereof. Counsel should be advised that the Local Rules will be strictly adhered to, requests for extensions should be avoided, and all discovery completed during the time period allotted.

6. The names of any parties who should be joined or added, together with a detailed statement of reasons therefor.

7. The contentions of fact of each party in detail. Do not argue your case, simply tell the Court what the facts are as seen by each side.

8. A summary of disputed facts.

9. A summary of disputed legal issues.

10. Any proposed amendments to the pleadings and a brief statement of their necessity.

11. A statement of any law and motion matters contemplated. If the Court on any prior occasion has indicated it would decide matters at pre-trial, a brief summary of those matters and the position of each party with respect thereto should be included.

12. If either party has any request for the trial of certain issues first, or bifurcation for possibly shortening the trial, this should be included.

13. If the case involves a class action governed by FRCP 23, state the areas and grounds for all disputes which exist as to certification by the Court as a class action under Rules 23(a) and (b).

14. An estimate of the number of trial days required. Where counsel cannot agree, then each party shall provide an estimate.

15. A statement whether the case is a jury or non-jury trial.

16. At the status conference, the Court will expect a **serious** discussion regarding settlement. The status report is to set forth the following:

1. The realistic demand of the plaintiff(s).
2. The realistic offer of the defendant(s).
3. The specific aspects of the case which are inhibiting settlement, e.g., outstanding discovery, pending motions, etc.
4. The realistic likelihood that negotiations will continue.

The Court will entertain a motion with respect to the matters which remain in controversy only if, after consultation and sincere attempts to resolve differences, counsel are unable to reach an accord. Such motion shall be filed and accompanied by a brief and concise memorandum of authorities in support of the moving party's opposition. Opposing counsel will then have ten days in which to answer the supporting memorandum; the movant will have five days thereafter to reply if he or she deems it necessary.

**SHOULD COUNSEL FAIL TO APPEAR AT THE STATUS CONFERENCE OR TO COMPLY WITH THE DIRECTIONS SET FORTH ABOVE, AN EX PARTE HEARING WILL BE CONDUCTED AND JUDGMENT OF DISMISSAL OR DEFAULT OR OTHER APPROPRIATE JUDGMENT ENTERED OR SANCTIONS IMPOSED.**

**THE COURT WILL FORMULATE STATUS CONFERENCE SCHEDULES AS NECESSITY DICTATES. PROPER NOTICE OF THE DATES AND TIMES WILL FOLLOW.**