

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

CRUISE LINES INTERNATIONAL
ASSOCIATION ALASKA, et al.

v.

CITY AND BOROUGH OF JUNEAU,
ALASKA, et al.

JUDGE H. RUSSEL HOLLAND

CASE NO. 1:16-cv-0008-HRH

PROCEEDINGS: ORDER FROM CHAMBERS

Initial Case Status Report:
Case Scheduling & Planning

Pursuant to Rules 16(b) and 26(f), Federal Rules of Civil Procedure, and Local Rule 16.1, counsel for all parties must meet within 21 days from service of this order for purposes of jointly completing a scheduling and planning report. The report should conform to the attached form.

Within 28 days from service of this order, counsel for plaintiff shall serve and file the parties' report with the court. The court will employ the report for purposes of entering a scheduling and planning order

In the event the parties to this case are already actively engaged in settlement negotiations, counsel for plaintiff shall so advise the court within 7 days following the entry of this order, and shall specify the date by which the parties expect to conclude their settlement negotiations.

*[Attorney's Name, Firm Name,
Address & Contact Information]*

[Case Caption]

SCHEDULING AND PLANNING CONFERENCE REPORT

I. Meeting. In accordance with Rule 26(f), Federal Rules of Civil Procedure, a meeting was held on *[date]*, and was attended by:

[List Attorneys' Names and Parties Represented]

As a result of their meeting, the parties recommend the following.

II. Disclosures. The information required by Fed. R. Civ. P. 26(a)(1):

A. ___ Has been exchanged by the parties.

B. ___ Will be exchanged by the parties on or before *[date]*.

C. Preliminary witness lists:

1. ___ Have been exchanged by the parties.

2. ___ Will be exchanged by the parties on or before *[date]*.

III. Contested Issues of Fact and Law. Preliminarily, the parties expect the following issues of fact and/or law to be presented to the court: *[issues to be presented]*

IV. Discovery Plan. The parties jointly propose to the court the following discovery plan.

A. The parties expect that discovery will be needed on the following issues:

B. Are there issues about preserving discovery information?

Yes _____ No _____ *[If yes, explain.]*

C. Disclosure or discovery of electronically stored information should be handled as follows: *[parties' proposal]*

- D. Claims of privilege or of protection of trial preparation materials:
1. ___ There is no indication that this will be an issue.
 2. ___ The parties have entered into a confidentiality agreement.
 3. ___ The parties will submit their proposed confidentiality agreement on or before *[date]*.
- E. Expert witnesses shall be identified by each party on or before *[date]*. Expert witness disclosures in accordance with Rule 26 shall be made:
- 1 ___ By all parties, on or before *[date]*.
- <OR>
2. ___ By plaintiff(s), on or before *[date]*;
 3. ___ By defendant(s), on or before *[date]*.
- <AND>
4. ___ Rebuttal reports, on or before *[date]*.
- F. Supplementation of disclosures and discovery responses under Fed. R. Civ. P. 26(e):
1. ___ At intervals of ___ days; and final supplementations will be served 60 days before the close of fact discovery.
 2. ___ As new information is acquired, but not later than 60 days before the close of fact discovery.

- G. A final witness list disclosing all lay and expert witnesses whom a party may wish to call at trial will be served and filed: *[date]*.¹
- H. Time for completing discovery:
1. ___ Fact discovery will be completed on or before *[date]*;
and
 2. ___ Expert discovery will be completed on or before
[date];
- <OR>
3. ___ All discovery will be completed on or before *[date]*.
- I. Limitations on discovery.
1. ___ Limitations contained in Fed. R. Civ. P. 26(b), 30, and 33 will apply except as indicated below.
 2. ___ The maximum number of depositions by each party will not exceed _____.
 - (a) ___ Depositions will not exceed _____ hours as to any deponent.
 - (b) ___ Depositions will not exceed _____ hours as to non-party deponents.
 - (c) ___ Depositions will not exceed _____ hours as to party deponents.²

¹This date may be more but not less than 45 days prior to the close of discovery. Only those witnesses disclosed at this time will be permitted to testify at trial.

²Unless otherwise specified, the court will consider corporate officer, Rule 30(b)(6) witness, and expert witness depositions to be subject to the time limitation applicable to party depositions.

3. ___ The maximum number of interrogatories posed by each party will not exceed _____.
4. ___ The maximum number of requests for admissions posed by each party will not exceed _____.
5. ___ Other proposed limitations: _____.

V. Pretrial Motions.

- A. ___ Are there preliminary motions as to jurisdiction, venue, arbitration, and/or statutes of limitation (see D. Ak. L.R. 16.1(c)(5)) which should be filed within 60 days?
Yes ___ No ___ *[If yes, explain.]*
- B. ___ Motions subject to D. Ak. L.R. 16.1(c)(6)-(8) and Fed. R. Civ. P. 56(b):
 1. ___ Will be served and filed not later than the times specified in applicable rules.
 2. ___ Motions to amend or add parties will be filed not later than *[date]*.
 3. ___ Motions under the discovery rules will be filed not later than *[date]*.
 4. Motions in limine will be filed not later than 30 days following the later of the date for the filing of dispositive motions or the date of the court's ruling on timely dispositive motions.
 5. ___ Dispositive motions (including motions for summary judgment) will be filed not later than *[date]*.

VI. Other Provisions.

- A. The parties [do / do not] request a conference with the court before the entry of a scheduling order. *[If the parties do request a conference prior to entry of the order, please explain.]*
- B. The parties [do / do not] consent to trial before a magistrate judge.
- C. The disclosure requirements of Fed. R. Civ. P. 7.1, if applicable:
1. Have been complied with.
 2. Compliance will be accomplished on or before *[date]*.
- D. Early settlement / alternative dispute resolution.
1. Do the parties request immediate assistance by way of a settlement conference or alternative dispute resolution?
Yes No *[If yes, explain.]*
 2. Do the parties wish to consider private mediation or a settlement conference with a judicial officer of this court at a later date?
Yes No
- E. The scheduling order will make provision for pretrial conferences, certification of the case as ready for trial, and a final pretrial conference.

VII. Trial.

- A. The case is expected to take days to try.
- B. 1. A jury trial [has / has not] been requested.

2. ___ The right to a jury [is / is not] disputed.

VIII. Report Form.

A. ___ Have counsel experienced any problem(s) in using this form?

 Yes _____ No _____ *[If yes, explain.]*

B. ___ Are there subjects which counsel would like to see added to
 this form?

 Yes _____ No _____ *[If yes, explain.]*

Dated: _____

[Signature Block]