Name, Address, Telephone No. & I.D. No.

|  |  |
| --- | --- |
|       |  |
| **UNITED STATES BANKRUPTCY COURT**SOUTHERN DISTRICT OF CALIFORNIA 325 West F Street, San Diego, California 92101-6991 |  |
| In Re      | Debtor. | BANKRUPTCY NO.       |
|       | Plaintiff(s) | ADVERSARY NO.       |
| v.      | Defendant(s) | Date & Time of Pre-Trial Status Conference:     Name of Judge:       |

# CERTIFICATE OF COMPLIANCE WITH EARLY CONFERENCE OF COUNSEL

# [LOCAL BANKRUPTCY RULE 7016-1]

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

The parties submit the following **Certificate of Compliance with Early Conference of Counsel** in accordance with LBR 7016-1(c):

# SERVICE OF PLEADINGS

* 1. Have all parties been served? [ ]  Yes [ ]  No
	2. Have all parties filed and served answers to the complaint, counterclaims, etc.?

 [ ]  Yes [ ]  No

# SETTLEMENT AND MEDIATION

* 1. What is the status of settlement efforts?

|  |
| --- |
|       |

* 1. Has this dispute been formally mediated? If so, when?

|  |
| --- |
|       |

* 1. Has mediation been discussed with your client? (See LBR 7016-3.)

|  |  |  |  |
| --- | --- | --- | --- |
| Plaintiff |  | Defendant |  |
|  [ ]  Yes | [ ]  No |  [ ]  Yes |  [ ]  No |

* 1. The parties desire to go to voluntary, non-binding mediation. (See Administrative Procedures, Section 5) They have reviewed the list of mediators on the court’s website (**www.casb.uscourts.gov**) or obtained the list from the court and have selected the following persons subject to availability as first, second, and third choices for mediator:

|  |  |
| --- | --- |
| First Choice:  |            |
| Second Choice: |            |
| Third Choice: |       |

Parties are requested to notify the courtroom deputy of their preferences at the time a pretrial status conference date is obtained.

|  |  |  |  |
| --- | --- | --- | --- |
|  **C.** | **DISCOVERY** |  |  |
|  |
|  | 1. | Discovery should be propounded in time to be completed by |       | . |
|  |
|  | 2. | The parties held their early conference of counselon |       | .  |
|  |  | (LBR 7016-1(a)(3) requires the early conference of counsel within 30 days after all defendants have |
|  |  | appeared or, in cases having multiple defendants, within 45 days after the first defendant appears.) |
|  |
|  | 3. | Initial disclosures (FRBP 7026(a)(1)) should be served by |       | . |
|  |  |  |
|  | 4. | Maximum of     interrogatories by each party to any other party. |
|  |
|  | 5. | Maximum of     requests for admission by each party to any other party. |
|  |
|  | 6. | Maximum of     depositions by plaintiff(s) and     by defendant(s). |
|  |
|  | 7. | Each deposition [other than of |       | ] should be limited to a |
|  |  | maximum of     hours unless extended by agreement of the parties.  |
|  |
|  | 8. | Expert disclosures (FRBP 7026(a)(2)) should be servedby |       | . |
|  |
|  | 9. | Rebuttal expert disclosures (FRBP 7026(a)(2)) shouldbeserved by |       | . |
|  |
|  | 10. | Expert reports (FRBP 7026(a)(2)(B)) should be served by |       | . |
|  |
|  | 11. | Rebuttal expert reports (FRBP 7026(a)(2)(B)) should beserved by |       | . |
|  |
|  | 12. | Any supplemental disclosures and discovery responses (FRBP 7026(e)) should beserved by |
|  |       |       | . |
|  |
|  **D.** |  **MOTION PRACTICE** |
|  |
|  | 1. | Motions to join additional parties or to amend the pleadings should be filed by |       | . |
|  |
|  | 2. | All other motions, except motions in limine, should be filed by |       | . |
|  |
|  **E.** |  **TRIAL PREPARATION** |
|  |
|  | 1. | When will you be ready for trial in this case? |       | . |
|  |  |  |
|  | 2. | What is your estimate of the time required to present both sides of the case at trial (including rebuttal phase, |
|  |  | if applicable)? |       |  |
|  |
|  | 3. | How many witnesses do you intend to call at trial (including opposing parties)?       |
|  |
|  **F.** | **CONSENT TO BANKRUPTCY COURT JUDGMENT** |
|  |
|  | The following parties consent to entry of final orders or judgment by the Bankruptcy Court: |
|  |       |
|  |
|  **G.** | **PRETRIAL STATUS CONFERENCE** |
|  |
|  | A further pretrial status conference in this case should be held on |       | at |       | m. |
|  | At that time, the Court may set deadlines for pretrial disclosures and objections (FRBP 7026(a)(3)) and schedule |
|  | the final pretrial conference (FRBP 7016(e)). |
|  |
|  **H.** | **ADDITIONAL COMMENTS/RECOMMENDATIONS RE TRIAL**: (Use additional page if necessary.)  |
|  |
|  |       |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Dated: |       |  |  | Dated: |       |
|  |  |  |  |  |  |
|       |  |  |       |
| Firm Name |  |  |  | Firm Name |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
| By: |       |  |  | By: |       |
| Name: |       |  |  | Name: |       |
|  |  |  |  |  |  |
| Attorney for: |       |  |  | Attorney for: |       |

**LBR 7016-1(c) requires this form to be filed no later than 7 days after early conference of counsel.**