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

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| **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?

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|  |

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

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

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| --- | --- | --- | --- |
| 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.

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| **C.** | | **DISCOVERY** | | | | |  | | | | | | | | | |  | | | | | | | | | | |
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|  | | 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). | | | | | | | | | | | | | | | | | | | | | | | | |
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|  | | 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 | | | | | | | | | | | | | | | | | | | | | | | | |
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| **D.** | **MOTION PRACTICE** | | | | | | | | | | | | | | | | | | | | | | | | | | |
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|  | | 1. | Motions to join additional parties or to amend the pleadings should be filed by | | | | | | | | | | | | | | | |  | | | | | | | | . |
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|  | | 2. | All other motions, except motions in limine, should be filed by | | | | | | | | | | |  | | | | | | | | | | . | | | |
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| **E.** | **TRIAL PREPARATION** | | | | | | | | | | | | | | | | | | | | | | | | | | |
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|  | | 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)? | | | | | | | | | | | | | | | | | | | | | | | | |
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| **F.** | **CONSENT TO BANKRUPTCY COURT JUDGMENT** | | | | | | | | | | | | | | | | | | | | | | | | | | |
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|  | The following parties consent to entry of final orders or judgment by the Bankruptcy Court: | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| **G.** | **PRETRIAL STATUS CONFERENCE** | | | | | | | | | | | | | | | | | | | | | | | | | | |
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|  | | 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.) | | | | | | | | | | | | | | | | | | | | | | | | | | |
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|  | |  |  |  | |
| 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.**