

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

***,

Case No. **-cv*****-***-KMM

Plaintiff,

**RULE 26(f) REPORT
[TEMPLATE]
(ERISA)**

v.

Defendant.

The parties/counsel identified below participated in the meeting required by Fed. R. Civ. P. 26(f) on _____, 20____, and prepared the following report.

The initial pretrial conference required under Fed. R. Civ. P. 16 and Local Rule 16.2 in this matter is scheduled for _____, 20____, at _____, before United States Magistrate Judge Kate Menendez in in Courtroom 8E of the U.S. Courthouse in Minneapolis, Minnesota.

DESCRIPTION OF CASE

1. Concise factual summary of plaintiff's claims:
2. Concise factual summary of defendant's claims/defenses:
3. Statement of jurisdiction (including statutory citations):
4. Summary of factual stipulations or agreements:
5. Statement as to whether the parties agree to resolve the matter under the Rules of Procedure for Expedited Trials of the United States District Court, District of Minnesota, if applicable:
6. Statement as to whether all process has been served, all pleadings filed and any plan for any party to amend pleadings or add additional parties to the action:

DISCOVERY DEADLINES AND LIMITS

Discovery is allowed in ERISA disability benefit cases only if the parties agree or upon Court order. The parties should discuss whether discovery will be required in this case, and should be prepared to address the matter at the pretrial conference.

PROPOSED MOTION SCHEDULE

The parties propose the following deadlines for filing motions:

1. Motions seeking to join other parties must be filed and served by _____.
2. Motions seeking to amend the pleadings must be filed and served by _____.
3. Non-dispositive motions:
 - a. In the event that a party determines, following review of the record in this case, that additional discovery is necessary, it must file a motion seeking leave no later than _____ .
 - b. All other non-dispositive motions, including motions relating to expert discovery, must be filed and served by _____.

The parties must meet and confer to resolve all discovery disputes and other non-dispositive issues prior to filing any motions.

4. All dispositive motions must be filed, served, and heard by _____.

TRIAL-READY DATE

If the parties agree that the case will be decided on cross-motions for summary judgment, no trial date will be set at this time.

SETTLEMENT

1. The parties will discuss settlement before _____, the date of the initial pretrial conference, by the plaintiff making a written demand for settlement and each defendant making a written response/offer to the plaintiff's demand.

2. The parties believe that a settlement conference is appropriate and should be scheduled by the Court before _____.
3. The parties have discussed whether alternative dispute resolution (ADR) will be helpful to the resolution of this case and recommend the following to the Court:

TRIAL BY MAGISTRATE JUDGE

The parties have/have not agreed to consent to jurisdiction by the Magistrate Judge pursuant to Title 28, United States Code, Section 636(c). (If the parties agree, the consent should be filed with the Rule 26(f) Report.)

DATE: _____

Plaintiff's Counsel
License #
Address
Phone #

DATE: _____

Defendant's Counsel
License #
Address
Phone #