

**IN THE COURT OF COMMON PLEAS  
STATE OF OHIO, COUNTY OF WARREN  
CIVIL DIVISION**

\_\_\_\_\_, : **CASE NO:**  
Plaintiff(s), : **JUDGE DONALD E. ODA**  
v. :  
\_\_\_\_\_, : **CIVIL RULE 26(F) CONFERENCE**  
Defendant(s). : **REPORT AND DISCOVERY PLAN**

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The Civ.R. 26(F) conference was held on \_\_\_\_\_. The lawyers and/or self-represented parties signing below represent that they engaged in a meaningful attempt to meet and confer on the matters outlined below, understanding the Court may enter or amend a case scheduling order in reliance on this report.

**1. CONSENT TO MAGISTRATE PRESIDING OVER JURY TRIAL?**

Do the parties consent to trial to a Magistrate and Jury pursuant to Civ.R. 53(C)?

☐ Yes ☐ No ☐ Still Open to Discussion

**2. INITIAL DISCLOSURES:**

Have the parties agreed to make initial disclosures?

☐ Yes ☐ No ☐ Case exempt under Civ.R. 26(B)(3)(b)

If yes, such initial disclosures shall be made by \_\_\_\_\_.

**3. VENUE AND JURISDICTION:**

Are there contested issues related to venue or jurisdiction?

☐ Yes ☐ No ☐ Not certain

If yes, briefly describe the issue: \_\_\_\_\_.

If yes, the parties agree that any motion related to venue or jurisdiction shall be filed by \_\_\_\_\_.

**4. PARTIES AND PLEADINGS:**

The parties agree that any motion or stipulation to amend the pleadings or join new parties shall be filed by \_\_\_\_\_.

If the case is a class action, the parties agree that the motion for class certification shall be filed by \_\_\_\_\_.

**5. PRETRIAL MOTIONS:**

Are early, potentially case dispositive motions (i.e., statute of limitations issues) likely in this case?

☐ Yes

☐ No

☐ Not certain

If yes, when can the motion(s) realistically be filed? \_\_\_\_\_.

**6. DISCOVERY PROCEDURES:**

A. The parties agree all discovery shall be completed by \_\_\_\_\_.

*All parties agree to schedule their discovery in such a way as to require all responses to discovery to be served prior to the cut-off date, and to file any motions relating to discovery within the discovery period unless it is impossible to do so.*

B. Do the parties anticipate production of electronically stored information (ESI) in this case?

☐ Yes

☐ No

If yes, briefly describe the anticipated protocol for such production: \_\_\_\_\_.

C. Do the parties anticipate court involvement over claims that ESI is not reasonably accessible [Civ.R. 26(B)(5)].

☐ Yes

☐ No

D. Do the parties anticipate protective orders being filed in this case?

☐ Yes

☐ No

If yes, briefly describe the anticipated issues: \_\_\_\_\_.

**7. EXPERT WITNESSES:**

A. Is an Independent Medical Exam (IME) likely to be requested in this case?

☐ Yes

☐ No

B. Plaintiff(s) shall file a "Disclosure of Expert Witnesses" by \_\_\_\_\_.

C. Defendant(s) shall file a "Disclosure of Expert Witnesses" by \_\_\_\_\_.

D. Plaintiff(s) shall submit Expert Reports (or records of healthcare providers [Civ.R. 26(B)(7)(d)] by \_\_\_\_\_.

E. Defendant(s) shall submit Expert Reports by \_\_\_\_\_.

**8. DISPOSITIVE MOTIONS:**

A. Any and all dispositive motions shall be filed by \_\_\_\_\_.

**9. SETTLEMENT:**

A. Plaintiff(s) will make an initial settlement demand by \_\_\_\_\_.

B. Defendant(s) will respond on or before \_\_\_\_\_.

**10. MEDIATION:**

A. Do the parties believe mediation will be beneficial to this case? ☐ Yes ☐ No

B. Do the parties intend to seek private mediation in this case? ☐ Yes ☐ No

*If the parties elect to retain a private mediator, they shall act quickly to select and schedule a mediator so as not to delay the trial or cause unnecessary motion practice or discovery delays.*

C. Do the parties wish to utilize the Court's Mediation Program? ☐ Yes ☐ No

*The Court's Mediation Program utilizes a list of court-appointed mediators from which the Court shall appoint a mediator to mediate a case. The cost of this program is approximately \$750, which is charged as court costs.*

**11. OTHER MATTERS:**

Indicate any other matters for the Court's consideration: \_\_\_\_\_.

Respectfully submitted,

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Attorney or Self Represented Party  
Counsel for  
Bar Number:  
Address:

Phone Number:  
Email:

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