

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEBRASKA

In the Matter of:	)	Case No. BK:
	)	
[DEBTOR(S)]	)	
	)	
Debtor(s)	)	
_____	)	_____
[PLAINTIFF(S)]	)	
	)	Case No. AP:
Plaintiff(s),	)	
	)	
vs.	)	
	)	
[DEFENDANT(S)]	)	
Defendant(s).	)	
	)	

**Rule 26(f) Report**

The following individuals conferred to prepare this planning conference report:

[Identify, for each party, the counsel/pro se party who participated in preparing the Rule 26(f) Report]

The parties discussed the case and jointly report:

1. ***Jurisdiction***

- ☐ Jurisdiction is not disputed under 28 U.S.C. § 157. The parties consent to entry of final orders or judgments by a bankruptcy judge. This proceeding is:
  - ☐ Core.
  - ☐ Non-core, but the court has arising under jurisdiction.
  - ☐ Non-core, but the court has related-to jurisdiction.
- ☐ Jurisdiction is disputed because \_\_\_\_\_.
  - ☐ Discovery and case progression can begin before jurisdictional issues are resolved.
  - ☐ Discovery and case progression should be stayed until the court resolves the jurisdictional issues. Request a hearing under Paragraph 15, below.

2. ***Claims and Defenses***

Separately identify each claim, counterclaim, and cross-claim, and for each:

- A. *Claims:* Provide a brief statement of the alleged facts and a succinct summary of the theories of recovery, citing any relevant statutes providing the basis for statutory claims.
- B. *Defenses:* List each affirmative defense, any for any statutory defense, cite the relevant statute.

3. ***Trial***

- ☐ No party timely and properly demanded a jury trial, or if demanded any right to a jury trial is waived.
- ☐ A party timely and properly demanded a jury trial.
  - ☐ The party requesting a jury trial will file a motion to withdraw the reference from the district court within 14 days.
  - ☐ Both parties consent to a trial a jury trial in the bankruptcy court. Request a hearing under Paragraph 15, below.

4. ***Dispute Resolution***

- ☐ Mediation may be appropriate and must be completed by [Click here to enter a date..](#)
- ☐ Mediation is not appropriate.

5. ***Mandatory Disclosures***

- ☐ Rule 26(a)(1) mandatory disclosures are completed.
- ☐ Rule 26(a)(1) mandatory disclosures must be completed by [Click here to enter a date..](#)

6. ***Motions to Amend Pleadings or Add Parties***

- ☐ No party anticipates a need to amend pleadings or add parties.
- ☐ A plaintiff anticipates a need to amend pleadings or add parties and will file a motion to amend by [Click here to enter a date..](#)
- ☐ A defendant anticipates a need to amend pleadings or add parties and will file a motion to amend by [Click here to enter a date..](#)

If more than 60 days are needed, explain why: \_\_\_\_\_.

7. ***Written Discovery***

- ☐ Written discovery is not necessary.
- ☐ Written discovery is necessary and must be completed by: [Click here to enter a date..](#)

8. ***Expert Witnesses***

- ☐ The parties do not anticipate calling experts to testify at trial.
- ☐ The parties anticipate calling experts to testify at trial, and
  - ☐ All experts must be identified by name, address, and profession by [Click here to enter a date..](#)
  - ☐ Expert reports under Rule 26(a)(2) must be served by [Click here to enter a date..](#)
  - ☐ Motions to exclude expert testimony on *Daubert* and related grounds must be filed by [Click here to enter a date..](#)

9. ***Protective Order***

- ☐ The parties do not anticipate the need for a protective order to complete discovery.
- ☐ The parties move the court for a protective order and will e-mail a proposed one to the courtroom department at [NEBml\\_Orders@neb.uscourts.gov](mailto:NEBml_Orders@neb.uscourts.gov).

10. ***Privileged Materials***

- ☐ The following categories of documents are presumptively privileged and need not be listed on a privilege log:
  - ☐ Documents between legal counsel and clients created on or after [Click here to enter a date..](#)
  - ☐ Documents maintained by consulting or testifying experts created on or after [Click here to enter a date..](#)
  - ☐ The following: \_\_\_\_\_.
- ☐ Counsel discussed the discovery of privileged information but cannot agree on what documents are presumptively privileged. Consider requesting a hearing under Paragraph 15, below.

11. ***Electronically Stored Information***

- ☐ The parties do not anticipate a dispute over preservation, scope, and production of ESI.
- ☐ The parties anticipate a dispute regarding the preservation, scope, and production of ESI. Consider requesting a hearing under Paragraph 15, below.

12. ***Motions for Summary Judgment***

- ☐ The parties do not anticipate filing motions for summary judgment.
- ☐ Motions for summary judgment must be filed by: [Click here to enter a date..](#)

13. ***Other Matters***

The court should know and consider the following, including without limitation any items under Federal Rules 16(b)(3) or 26(f)(3), or any items contained in this report upon which the parties could not agree: \_\_\_\_\_.

14. ***Trial***

- a. The case will be read for trial by \_\_\_\_\_.
- b. The parties estimate the number of days or hours required for trial are \_\_\_\_\_.

15. ***Status Conference***

- ☐ A Rule 26(f) conference with the court is not necessary before the court approves this report. The parties will contact the courtroom department and request a hearing if a problem arises.
- ☐ At least one party requests a conference with the court before the court approves this report.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff(s) or Plaintiff(s)' Counsel

\_\_\_\_\_  
Defendant(s) or Defendant(s)' Counsel