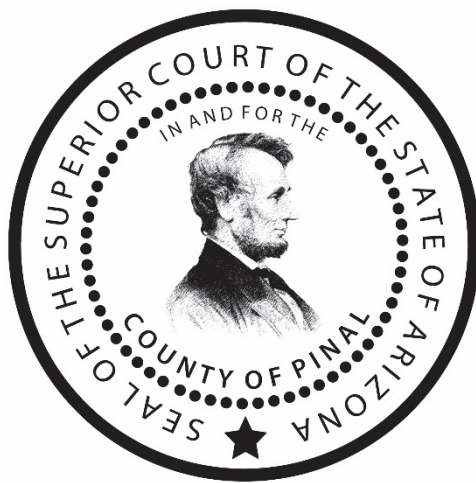


JOINT REPORT AND SCHEDULING ORDER



PINAL COUNTY

FORMS

Provided as a Public Service by
REBECCA PADILLA
Clerk of the Superior Court

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Representing [] Self or [] Lawyer for _____
Lawyer's Bar Number: _____



SUPERIOR COURT OF ARIZONA
IN _____ COUNTY

Plaintiff

Case Number: _____

Defendant

JOINT REPORT

Tier 1 Tier 2 Tier 3

SELECT ONE BOX ACCORDING TO YOUR CASE'S DISCOVERY TIER:

- Tier 1** – The parties signing below certify that they have conferred about the matters contained in Rule 16(b)(2) and (c)(3), and they further certify that,
- (a) Every Defendant has been served or dismissed, and every defendant who has not been defaulted has filed a responsive pleading;
 - (b) There are no third-party claims;
 - (c) This case is not subject to the mandatory arbitration provisions of Rule 72; and
 - (d) With regard to matters upon which the parties could not agree, they have set forth their positions separately in items 13 below. Each date in the Joint Report and in the Proposed Scheduling Order includes a calendar month, day, and year.

OR

- Tier 2** – The parties signing below certify that they have conferred about the matters contained in Rule 16(b)(2) and (c)(3), and that this case is not subject to the mandatory arbitration provisions of Rule 72. With regard to matters upon which the parties could not agree, they have set forth their positions separately in items 13 below. The parties are submitting a Proposed Scheduling Order with this Joint Report. Each date in the Joint Report and in the Proposed Scheduling Order includes a calendar month, day, and year.

OR

- Tier 3** – The parties signing below certify that they have conferred about the matters contained in Rule 16(b)(2) and (c)(3). With regard to matters upon which the parties could not agree, they have set forth their positions separately in items 13 below. The parties are submitting a Proposed

Scheduling Order with this Joint Report. Each date in the Joint Report and in the Proposed Scheduling Order includes a calendar month, day, and year.

OPTIONAL SUMMARY OF RULE 16(b) EARLY MEETING: (not to exceed 4 pages of text), split evenly between separate statements of the parties if they do not agree on the summary's contents:

1. BRIEF DESCRIPTION of the CASE:

- If a claimant is seeking a remedy other than monetary damages, specify the relief sought:

2. CURRENT CASE STATUS (TIERS 2 and 3 ONLY):

Every defendant has been served or dismissed. YES NO

Every party who has not been defaulted has filed a responsive pleading. YES NO

Explain what "No" means in response to either of the above statements:

3. AMENDMENTS (TIERS 2 and 3 ONLY):

A party anticipates filing a pleading amendment will add a new party to the case.

YES NO

4. SETTLEMENT: The parties agree to engage in settlement discussions with a settlement judge assigned by the court, or a private mediator.

The parties will be ready for a settlement conference or a private mediation by:

If the parties will not engage in a settlement conference or private mediation, state the reason(s) below:

READINESS: This case will be ready for trial by: _____

- 5. **JURY:** A trial by jury is demanded. YES NO
- 6. **LENGTH of TRIAL:** The estimated length of trial is _____ days.
- 7. **SUMMARY JURY:** The parties agree to a summary jury trial. YES NO
- 8. **SHORT CAUSE (TIER 1 ONLY):** A non-jury trial will not exceed one hour. YES NO
- 9. **PREFERENCE:** This case is entitled to a preference for trial pursuant to the following statute or rule:

- 10. **SPECIAL REQUIREMENTS:** At a pretrial conference or at a trial a party will require disability accommodations (Specify):

an interpreter (Specify language):

11. **SCHEDULING CONFERENCE:** The parties request a Rule 16(d) scheduling conference.
 YES NO

If a conference is requested, the reasons for the request are:

12. **OTHER MATTERS:** Other matters that the parties wish to bring to the court's attention that may affect management of this case:

ITEMS UPON WHICH THE PARTIES DO NOT AGREE: The parties were in good faith, unable to agree upon the following items, and the position of each party as to each item is as follows:

Case Number: _____

The parties must attach a good faith consultation certificate under Rule 7.1(h) to this Joint Report.

Dated this _____ day of _____, 20____

For Plaintiff

For Defendant

For Plaintiff

For Defendant

For Plaintiff

For Defendant

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
Representing [] Self or [] Lawyer for _____
Lawyer's Bar Number: _____

FOR CLERK'S USE ONLY

SUPERIOR COURT OF ARIZONA
IN _____ COUNTY

Plaintiff

Case Number CV: _____

PROPOSED SCHEDULING ORDER

Defendant

(Check one.)

- Tier 1
- Tier 2
- Tier 3

UPON CONSIDERATION of the Parties' Proposed Scheduling Order, the Court orders as follows:

1. **INITIAL DISCLOSURE:** The parties have exchanged their initial disclosure statements or will exchange them no later than: _____.
2. **EXPERT WITNESS DISCLOSURE (Tier 2 and 3 ONLY):**

A. AREAS OF EXPERT WITNESS TESTIMONY

The parties shall disclose areas of expert testimony to each other by this date:

_____.

(OR)

Plaintiff shall disclose areas of expert testimony to Defendant by this date:

_____.

Defendant shall disclose areas of expert testimony to Plaintiff by this date:

_____.

B. IDENTITY AND OPINIONS OF EXPERT WITNESSES

The parties shall disclose the identity and opinions of experts to each other on or before this date: _____.

(OR)

Plaintiff shall disclose the identity and opinions of experts to Defendant by this date: _____.

Defendant shall disclose the identity and opinions of experts to Plaintiff by this date: _____.

C. OPINIONS OF REBUTTAL EXPERT WITNESSES

The parties shall disclose their rebuttal expert opinions to each other by this date: _____.

3. LAY (non-expert) WITNESS DISCLOSURE: The parties shall simultaneously disclose all lay witnesses by: _____.

- (Alternative): The parties shall disclose lay witnesses in the following order, and by the following dates:

4. FINAL SUPPLEMENTAL DISCLOSURE:

A. Each party shall send the other party any final supplemental disclosure by this date: _____.

B. This order does not replace the parties' obligation to continue to disclose ARCP Rule 26.1 information on an on-going basis and as it becomes available.

C. No party shall use any lay witness, expert witness, expert opinion, or exhibit at trial not disclosed in a timely manner, except 1) upon order of the court for good cause shown, or 2) upon a written or an on-the-record agreement of the parties.

5. DISCOVERY DEADLINES: The Court orders the following Discovery Deadlines:

- A. Tier 1 cases are permitted 120 days in which to complete discovery.
- B. Tier 2 cases are permitted 180 days in which to complete discovery.
- C. Tier 3 cases are permitted 240 days in which to complete discovery.
- D. The time to complete discovery runs from the date of the Early Meeting.
- E. The parties will submit all discovery pursuant to ARCP Rules 33 through 36 by this date:
_____.
- F. The parties will complete the depositions of parties and lay witnesses by this date:
_____.
- G. The parties will complete the depositions of expert witnesses by this date:
_____.
- H. The parties will complete all other discovery by this date: _____.
- I. “Complete discovery” includes conclusion of all depositions and submission of full and final responses to written discovery.

6. SETTLEMENT CONFERENCE or PRIVATE MEDIATION: [Choose One]:

- Referral to ADR** for a settlement conference: The clerk or the court will issue a referral to ADR by a separate minute entry. The parties shall complete the mediation by this date:
_____.
- Private mediation:** The parties shall participate in mediation using a private mediator agreed to by the parties. The parties shall complete the mediation by:
_____.

All attorneys and their clients, all self-represented parties, and any non-attorney representatives who have full and complete authority to settle this case shall personally appear and participate in good faith in this mediation, even if no settlement is expected. However, if a non-attorney representative requests a telephonic appearance and the mediator grants the request before the mediation date, a non-attorney representative may appear telephonically.

- NO settlement conference or mediation:** A settlement conference or private mediation is not ordered.

7. DISPOSITIVE MOTIONS:

- A. The parties shall file all dispositive motions by: _____.
- B. The parties propose a trial date of no later than this date: _____.
- C. The parties believe the trial will last _____ days.
(number of days)

8. TRIAL SETTING CONFERENCE:

- A. On _____ [the court will provide this date] the court will conduct a telephonic trial setting conference. Attorneys and self-represented parties shall have their calendars available for the conference.

Plaintiff Defendant will initiate the conference call by arranging for the presence of all other counsel and self-represented parties, and by calling this division at:
_____ at the scheduled time.
(division's telephone number)

9. FIRM DATES:

- A. No stipulation of the parties that alters a filing deadline or a hearing date contained in this scheduling order will be effective without an order of this court approving the stipulation.
- B. Dates set forth in this order that govern court filings or hearings are firm dates and may be modified only with this court's consent and for good cause.
- C. This court ordinarily will not consider a lack of preparation as good cause.

Case Number: _____

10. FURTHER ORDERS: The court further orders as follows:

Date

Judge of the Superior Court