

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CHRISTOPHER AVELLONE,	)	
	)	Case No. 3:22-cv-2247-SMY
	)	
Plaintiff,	)	CJRA Track: B
	)	
vs.	)	Mandatory Mediation: Yes
	)	
KARISSA BARROWS,	)	Trial Date: December 11, 2023
	)	
Defendant.	)	Judge Staci M. Yandle

**JOINT REPORT OF PARTIES AND
PROPOSED SCHEDULING AND DISCOVERY ORDER**

Pursuant to Federal Rule of Civil Procedure 26(f) and SDIL-LR 16.2(a), an initial conference of the parties was held on 12/13/2022 with attorneys and/or unrepresented parties Anand C. Mathew for Plaintiff and Daniel L. Allender for Defendant participating.

SCHEDULING AND DISCOVERY PLANS WERE DISCUSSED AND AGREED TO AS FOLLOWS:

1. A stipulation selecting a mediator shall be filed with the Court by 2/24/2023 (no later than **28 days** following the Scheduling and Discovery Conference).
2. The parties shall exchange Rule 26(a) disclosures on or before 1/31/2023.
3. Initial interrogatories and requests to produce, pursuant to Federal Rules of Civil Procedure 33 and 34 shall be served on opposing parties by 2/14/2023.
4. Plaintiff's deposition shall be taken by 4/25/2023.
5. Defendant's deposition shall be taken by 4/25/2023.
6. Motions to amend the pleadings, including the commencement of a third-party action, shall be filed by 4/27/2023 (no later than **90 days** following the Scheduling and Discovery conference).

7. Expert witnesses shall be disclosed, along with a written report prepared and signed by the witness pursuant to Federal Rule of Civil Procedure 26(a)(2), as follows:
 - Plaintiff's expert(s): 5/29/2023.
 - Defendant's expert(s): 6/26/2023.
 - Plaintiffs' rebuttal expert(s): 7/10/2023.
8. Depositions of expert witnesses must be taken by:
 - Plaintiff's expert(s): 7/24/2023.
 - Defendant's expert(s): 7/24/2023.
9. The parties **CERTIFY** that they have discussed, in particular, the proportionality of discovery, the burden and expense associated with discovery, and the discovery of electronically stored information (ESI). The parties anticipate a need for an ESI protocol. The parties shall submit to the Court any joint proposed ESI protocol no later than 1/20/2023 (The protocol shall contain mechanisms for addressing necessary topics concerning ESI to include sources of information, search terms, format of production and preservation of ESI by both Plaintiff(s) and Defendant(s)).
10. The **Mandatory Mediation Session** shall be completed by 6/23/2023 (no later than **30 days** before the discovery cut-off).
11. **Discovery** shall be completed by 7/24/2023 (no later than **130 days** before the first day of the month of the presumptive trial month or the first day of the month of the trial setting). Any written interrogatories or request for production served after the date of the Scheduling and Discovery Order shall be served by a date that allows the served parties the full **30 days** as provided by the Federal Rules of Civil Procedure in which to answer or produce by the discovery cut-off date.
12. The **Mandatory Mediation Process** shall be completed by 8/8/2023 (no later than **15 days** after the discovery cut-off).
1. All **dispositive motions** shall be filed by August 8, 2023 (no later than **115 days** before the first day of the month in which trial is set). Dispositive motions filed after this date will not be considered by the Court.
13. The parties are reminded that, prior to filing any motions concerning discovery, they must first meet and confer relating to any discovery disputes. The parties shall file a written motion if they are unable to resolve their dispute. The motion shall be no longer than 10 pages and shall state "DISPUTED" in the title. Responses shall be filed within 7 days and shall be no longer than 10

pages. Disputed discovery motions will be referred to a Magistrate Judge.

DATED: 12/22/2022

/s/ Anand C. Mathew

Attorney(s) for Plaintiff(s)

/s/ Daniel L. Allender

Attorney(s) for Defendant(s)