

RULE 7026-1 - DISCOVERY - GENERAL

(a) Disclosures Written Report Required by Fed. R. Civ. P. 26(f)(2). Unless otherwise ordered, the time limits and disclosure requirements of Fed. R. Bankr. P. 7026 apply to all adversary proceedings in this District. Unless otherwise ordered by the Court, the written report of the parties required by Fed R. Civ. P. 26(f)(2) shall substantially conform to Maine Bankruptcy Form 4.

(b) **NO CHANGES**

(c) **NO CHANGES**

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE**

<p>In re:</p> <p>[Debtor Name(s)]</p> <p style="text-align: right;">Debtor(s)</p> <hr/> <p>[Plaintiff Name(s)]</p> <p style="text-align: right;">Plaintiff(s)</p> <p style="text-align: center;">v.</p> <p>[Defendant Name(s)]</p> <p style="text-align: right;">Defendant(s)</p>	<p>Chapter [XX]</p> <p>Case No. [XX-XXXXXX]</p> <p>Adv. Proc. No. [XX-XXXX]</p>
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Rule 26(f) Report

The parties engaged in a discovery conference under Fed. R. Civ. P. 26(f) on [date]:

- by telephone;
- by videoconference; or
- in person.

**Check one of the options above.*

By submitting this document, the parties represent that, during their discovery conference, they considered the nature and basis of their claims and defenses and the possibilities for promptly settling or resolving the case; made or arranged for the disclosures required by Fed. R. Civ. P. 26(a)(1); discussed any issues pertaining to the preservation of discoverable information; and developed the following proposed discovery plan, all as required by Fed. R. Civ. P. 26(f)(2).

Proposed Discovery Plan

1. Initial disclosures under Fed. R. Civ. P. 26(a)(1):

will not be made because this proceeding is exempt from initial disclosure under Fed. R. Civ. P. 26(a)(1)(B);

have been completed by all parties;

will be made according to the following timeframe stipulated by the parties:

_____ ; or

will be made within the timeframe established by the pretrial scheduling order.

**Check one of the options above. If the parties cannot agree on a schedule for completing initial disclosures, the final option should be selected, and the parties must be prepared to discuss this issue with the Court at the scheduling conference.*

2. Expert disclosures under Fed. R. Civ. P. 26(a)(2) will be made:

according to the timeframe set forth in Fed. R. Civ. P. 26(a)(2)(D);

according to the following timeframe stipulated by the parties:

_____ ; or

within the timeframe established by the pretrial scheduling order.

**Check one of the options above. If the parties cannot agree on a schedule for completing expert disclosures, the final option should be selected, and the parties must be prepared to discuss this issue with the Court at the scheduling conference.*

3. Pretrial disclosures under Fed. R. Civ. P. 26(a)(3) will be made and filed:

at least 30 days before trial, per Fed. R. Civ. P. 26(a)(3)(B);

on the following deadline, as agreed by the parties: _____
_____ ; or

within the timeframe established by the pretrial scheduling order.

**Check one of the options above. If the parties cannot agree on a schedule for completing pretrial disclosures, the final option should be selected, and the parties must be prepared to discuss this issue with the Court at the scheduling conference.*

4. Discovery:

May be needed on the following subjects: [describe subjects]

Should be completed by: [date(s) subject to agreement or disagreement]; and

[Should or should not] be conducted in phases or limited to or focused on particular issues.

**Provide the information prompted. If any party believes that discovery should be phased, limited, or focused, that party must be prepared to discuss this issue with the Court at the scheduling conference.*

5. Disclosure, discovery, or preservation of electronically stored information (“ESI”) [is or is not] an issue in this proceeding.

**If ESI is, or may be, an issue, the parties must be prepared to discuss this issue and any proposals for managing the issue with the Court at the scheduling conference.*

6. Claims of privilege or of protection as trial-preparation materials [are or are not] an issue in this proceeding.

**If any party believes that such claims are an issue, that party must, at the scheduling conference, be prepared to describe: (i) the issue; (ii) any agreements the parties may have for asserting such claims after production; and (iii) any requests for the Court to include that agreement in an order under Fed. R. Evid. 502.*

7. Request to Convene Initial Pretrial Conference:

One or more of the parties requests that the Court convene the initial pretrial conference as scheduled, notwithstanding any agreement on the terms of a discovery plan.

**Check the box above if applicable.*

8. Additional Matters:

Limitations on Discovery:

[describe any proposed changes in the limitations on discovery under the Fed. R. Civ. P., or any additional limitations requested by any party]

Protective Orders:

[if any party seeks to have a protective order included in the pretrial scheduling order, describe the proposed protective order here]

Other Orders:

[describe any other provisions that any party would like the Court to include in the pretrial scheduling order under Fed. R. Civ. P. 16(b) or (c), and the reasons that such provisions should be included]

**Check any of the boxes that apply and provide the information prompted.*

Date: _____

Plaintiff or Counsel for Plaintiff

Date: _____

Defendant or Counsel for Defendant