UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DIANE J. SCHROER
Plaintiff,
v.
JAMES H. BILLINGTON
Defendant.

No. 05-cv-1090 (JR)

REPORT PURSUANT TO LOCAL CIVIL RULE 16.3(d)

Pursuant to Local Civil Rule 16.3(d), and the Court's Order dated June 22, 2006 (Rec. Doc. 21), the parties hereby file this report.

1. Motion to Dismiss.

The defendant's pre-discovery motion to dismiss was denied by the Court on March 31, 2006.

2. Joinder of Parties, Amendment of Pleadings, Narrowing of Issues.

At this time, the parties do not anticipate any need to amend the pleadings.

3. Assignment to a Magistrate Judge.

The parties do not consent to the assignment of this case to a Magistrate Judge for all purposes.

4. Whether There is a Realistic Possibility of Settlement.

There is no realistic possibility of settlement at this time. The parties believe that there may be a realistic possibility of settlement after discovery.

5. Alternative Dispute Resolution.

The parties do not believe that Alternative Dispute Resolution or a neutral evaluation would be useful at this time. Alternative Dispute Resolution or a neutral evaluation may become useful after discovery and/or after the resolution of dispositive motions, if any are filed.

6. Summary Judgment.

The parties agree that it is not possible, before discovery, to predict whether the case can be resolved by summary judgment. The parties agree that any motion(s) for summary judgment or partial summary judgment will be filed within 60 days of the close of discovery, *i.e.*, by February 13, 2007, with oppositions due 30 days after service of such a motion.

7. Initial Disclosures.

The parties waive initial disclosures under Rule 26(a)(1).

8. Discovery Matters.

The parties agree that discovery should conclude by December 15, 2006. The parties agree to follow the federal rules regarding the number of interrogatories and depositions, absent mutual agreement or good cause shown for additional discovery.

9. Expert Witnesses.

The parties propose that any report(s) by plaintiff's expert(s) will be due by September 15, 2006, and that any report(s) by defendant's expert(s) will be due 30 days after service of plaintiff's expert report(s). If a report by defendant's expert covers subjects or topics not covered in plaintiff's report(s), plaintiff may serve a rebuttal report within 30 days after service of defendant's expert report. Depositions of expert witnesses may occur any time between the filing of report(s) by plaintiff's expert(s) and the close of discovery.

10. Class Certification.

Not applicable.

11. Bifurcation.

The parties see no need for bifurcation.

12. Pretrial Conference.

The parties propose that no pretrial conference be scheduled at this time, but that the parties inform the Court by January 26, 2007, whether they will be filing summary judgment motions and, if neither party plans to file such a motion, the pretrial conference be scheduled at that time.

13. Trial Date.

The parties propose that the Court set a trial date at the pretrial conference.

14. Other Matters.

None.

A proposed scheduling order reflecting these dates is filed herewith.

Respectfully submitted,

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July 21, 2006

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