

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

Plaintiff

vs

CIVIL CCC

Defendants

ORDER SETTING SECOND SCHEDULING CONFERENCE

A second scheduling conference will be held on _____ at ____ A.M.

The parties shall be prepared to inform the Court of the following:

a. A list of all pending motions, their current status and an estimate of the necessary time to submit these pending matters to the Court.

b. The extent of discovery completed thus far, a summary of the remaining discovery and its proposed timetable and a list of all objections to discovery (if any) thus far raised with a description of the specific matter objected to and the legal grounds in support thereof.

c. A list of all the facts that have been or will be stipulated, if any.

d. A preliminary list of the witnesses and documentary evidence that will be used at trial and the estimated duration of trial.

e. A list of all documents the authenticity of which has been already stipulated as well as any other stipulations made regarding the evidence so far gathered.

f. A statement indicating whether any claims or defenses are to be voluntarily withdrawn.

The voluntary withdrawal of claims or defenses at this point in the litigation which may later be demonstrated to have been frivolous, unnecessary or redundant will be taken into consideration as a possible mitigating factor if the Court is required to assess attorney's fees.

g. Indicate whether the litigation will require any unusual proceedings such as referral to a special master, bifurcation of liability and damages, or any other matter the parties deem proper to call to the Court's attention at this stage that will require special measures.

h. Indicate whether the action or any part thereof may be solved through extra-judicial proceedings.

i. Provide the Court with a list of specific dates for any additional conferences, if necessary, final pretrial and trial.

The attorneys are reminded that failure to attend this second scheduling conference or to attend duly prepared for it in the manner set forth in this Order shall result in the imposition of sanctions to the parties, their attorneys or both.

Any objections or requests for modification of the terms and conditions of this Order shall be filed within eleven (11) days after notice, or they shall be considered waived.

SO ORDERED.

At San Juan, Puerto Rico, on _____, 1998.

CARMEN CONSUELO CEREZO
Chief, U.S. District Judge