

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

Plaintiff,

v.

Case No: 3:

Defendant.

CASE MANAGEMENT REPORT (ERISA CASES ONLY)

This Case Management Report shall be used in actions brought under the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. sec. 1001, et seq. Based on this Report and availability on the Court's calendar, the assigned United States Magistrate Judge will issue a binding Case Management and Scheduling Order.

1. **Meeting of Parties:** Pursuant to Local Rule 3.05(c)(2)(B) or (c)(3)(A), a telephone or in-person conference was held on _____ (date) between:

<u>Name</u>	<u>Counsel for (if applicable)</u>
_____	_____
_____	_____
_____	_____
_____	_____

2. Do parties agree to consent to the exercise of jurisdiction over this case by the assigned United States Magistrate Judge? (check one) yes no

If yes, the parties shall complete and all counsel and/or unrepresented parties shall execute on the Form AO-85 attached hereto (through the portion for "Consent" – all signatures together on one form); submit the same to the Clerk, and the Court will promptly thereafter enter the "Order of Reference" portion and file the same in the record hereof.

(In the absence of consent, the Magistrate Judge will issue a Report and Recommendation to the District Judge)

3. **Preliminary Pretrial Conference:** Parties (check one) request do not request a preliminary pretrial conference before entry of a Case Management and Scheduling Order in this Track Two case. Unresolved issues to be addressed at such a conference include:

4. **Case Plan:**

A. Date by which defendant will provide the administrative record to plaintiff:

B. Requested date by which dispositive motions or cross-briefs should be filed:

C. Requested date by which responses to dispositive motions or briefs should be filed:

D. Any requests for Special Consideration or Handling (requests can be joint or unilateral):

5. Do the parties request oral argument? yes no (The Magistrate Judge will make the final determination as to whether and when to set the case for oral argument).

6. **Mediation:**

Mediation is mandatory in most Track Two cases. The Order of referral to mediation described in Local Rule 9.04 should be entered by the Court directing that mediation occur on or before _____ (date) designating _____ (name) to serve as mediator. (A list of certified mediators is available from the Clerk's Office and on the Court's website. **If the parties leave either or both of these fields blank, the Court will designate the mediator and/or the deadline for mediation).**)

7. **Certificate of Interested Persons and Corporate Disclosure Statement:**

This Court makes an active effort to screen every case in order to identify parties and interested corporations in which the assigned judge may be a shareholder, as well as for other matters that might require consideration of recusal. Therefore, each party, governmental party, intervenor, non-party movant, and Rule 69 garnishee shall file and serve within **fourteen (14) days** from that party's first appearance a Certificate of Interested Persons and Corporate Disclosure Statement using the attached mandatory form. No party may seek discovery from any source before filing and serving a Certificate of Interested Persons and Corporate Disclosure Statement. All papers, including emergency motions, are subject to being denied or stricken unless the filing party has previously filed and served its Certificate of Interested Persons and Corporate Disclosure Statement. Any party who has not already filed and served the required certificate is required to do so **immediately**. Each party has a continuing obligation to file and serve an amended Certificate of Interested Persons and Corporate Disclosure Statement within eleven days of 1) discovering any ground for amendment, including notice of case

reassignment to a different judicial officer; or 2) discovering any ground for recusal or disqualification of a judicial officer. A party should not routinely list an assigned district judge or magistrate judge as an “interested person” absent some non-judicial interest.

Date: _____

Signatures of Counsel (with information required by Local Rule 1.05(d)) and Signature of any unrepresented party:

**CERTIFICATE OF INTERESTED PERSONS
AND CORPORATE DISCLOSURE STATEMENT**

I hereby disclose the following pursuant to this Court's interested persons order:

1.) the name of each person, attorney, association of persons, firm, law firm, partnership, and corporation that has or may have an interest in the outcome of this action — including subsidiaries, conglomerates, affiliates, parent corporations, publicly-traded companies that own 10% or more of a party's stock, and all other identifiable legal entities related to *any* party in the case:

[insert list]

2.) the name of every other entity whose publicly-traded stock, equity, or debt may be substantially affected by the outcome of the proceedings:

[insert list]

3.) the name of every other entity which is likely to be an active participant in the proceedings, including the debtor and members of the creditors' committee (or twenty largest unsecured creditors) in bankruptcy cases:

[insert list]

4.) the name of each victim (individual or corporate) of civil and criminal conduct alleged to be wrongful, including every person who may be entitled to restitution:

[insert list]

I hereby certify that, except as disclosed above, I am unaware of any actual or potential conflict of interest involving the district judge and magistrate judge assigned to this case, and will immediately notify the Court in writing on learning of any such conflict.

[Date]

[Counsel of Record or *Pro Se* Party]
[Address and Telephone]

[Certificate of Service]