

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

<p>STACY HINNERS, et al. <i>Plaintiffs,</i></p> <p>v.</p> <p>MICHAEL O'SHEA, et al. <i>Defendants.</i></p>	<p>Case No. 1:19-cv-02868</p> <p>Judge Pamela A. Barker</p> <p>Magistrate Judge David A. Ruiz</p>
<p>REPORT OF THE PARTIES' PLANNING MEETING</p>	

The parties respectfully submit this joint report of their initial planning meeting.

1. Under Fed. R. Civ. P. 26(f) and L.P. 16.3(b)(3), a meeting was held on July 10, 2020, and was attended by:
 - A. Brian Bardwell, counsel for Plaintiffs Stacy and Jason Hinnners;
 - B. Patrick Kasson, counsel for Defendant Michael O'Shea;
 - C. Greg Beck and Richard Lobas, counsel for Defendant Aimee Lane;
 - D. Maia Jerin, counsel for Defendant Walter Haverfield LLP;
 - E. Daniel Downey, counsel for Defendants City of Huron, Brad Hartung, Andrew White, Glen Ginesi, Rick Schaffter, Trey Hardy, Robert Lippert, John Orzech, and Kevin Koehler.
2. **Initial disclosures:** The parties will make initial disclosures by **August 21, 2020**.
3. **Track assignment:** Plaintiffs believe the case is appropriate for the complex track based on the number of defendants, claims involving different incidents, and witnesses. Defendant O'Shea's witness list for the underlying criminal trial included 27 witnesses, and Mrs. Hinnners's list had 55, driven largely by her burden to prove the existence of comparators for her equal-protection claims. Defendants believe the case should be assigned to the standard track.
4. **Alternative dispute resolution:** Plaintiffs believe the case is suitable for mediation. Defendants believe the case is not suitable for any form of alternative dispute resolution.
5. **Consent to jurisdiction of the Magistrate Judge:** The parties do not consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).
6. **Electronically stored information:** The parties have agreed to a method for conducting discovery of electronically stored information. The parties will make productions in their

preferred formats, and recipients are entitled to production of native files upon request with a showing of particularized need.

7. **Discovery plan:**

A. The parties expect to conduct discovery on the claims and defenses in their pleadings, using the full range of tools available under the Federal Rules of Civil Procedure.

B. Discovery cut-off date: June 1, 2021.

8. **Recommended dispositive motion date:** July 1, 2021

9. **Recommended expert discovery date:** May 1, 2021

A. Expert report(s) by party initially seeking to introduce expert testimony recommended due date: January 15, 2021

B. Responsive expert report(s) due date: March 1, 2021

10. **Cut-off date for amending the pleadings or adding additional parties:** Defendants propose August 1, 2020. Plaintiffs propose December 31, 2020, which still permits over five months for any additional needed discovery and affords Plaintiffs the opportunity to add new claims and parties based on information obtained in discovery through that date.

11. **Recommended date for Status Hearing:** January 15, 2021

12. **Recommended date for Settlement Conference:** N/A. Plaintiff proposes a settlement conference to be scheduled for May 28.

13. **Other matters for the Court's attention:**

A. Defendants propose limiting each party to 20 requests for admission per responding party, including subparts. Plaintiffs oppose this proposal because Rule 34 does not limit the number of requests for admissions and because responses to requests for admissions will substantially narrow or clarify the issues in dispute, while shortening deposition times and costs. Requests for admission can be easy to answer with a simple "admit" or "deny" and are not burdensome.

B. Defendants propose limiting plaintiffs to 10 depositions. Plaintiffs oppose this proposal because there are 12 named Defendants so far, many more necessary witnesses (see above), and multiple discrete events at issue in this case.

C. Defendants propose requiring Plaintiffs to submit quarterly fee reports. Plaintiffs do not oppose this, but only if all parties are required to do the same.

D. Plaintiffs will raise the issue of conflicts of interest in the joint representation of municipal Defendants with different positions with respect to settling the case, and the merits of Mrs. Hinner's claims.

E. Defendants wish to discuss steps parties to limit or reduce the number of claims or parties to the litigation.

Respectfully submitted,

/s/ Brian D. Bardwell

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