

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

BRANDON CALLIER,

Plaintiff,

v.

TURNING POINT USA, INC.,
*an Indiana non-profit/charitable
corporation,*

Defendant.

§
§
§
§
§
§
§
§
§
§

EP-22-CV-00420-DCG

**ORDER REQUIRING PARTIES TO FILE JOINT REPORT,
PROPOSED SCHEDULING ORDER, AND DISCLOSURE STATEMENT**

The Court **ORDERS** the parties to **CONFER** as Federal Rule of Civil Procedure 26(f) and Local Rule CV-16(c) require and **JOINTLY FILE** the following documents by **April 28,**

2023:

- (1) A Joint Rule 26(f) Report that conforms substantially to Appendix N of this Court’s Local Rules;
- (2) A Proposed Scheduling Order that conforms substantially to Appendix B of the Local Rules; and
- (3) If applicable, a Disclosure Statement that complies with Federal Rule of Civil Procedure 7.1.

The parties shall submit each of these filings as separate documents.

The Joint Rule 26(f) Report must also state or provide:

- (1) A short statement of the facts that form the basis of Plaintiff’s claims and those that form the basis of Defendant’s defenses.¹ Each side’s statement shall be no longer than one page with double-spaced type.

¹ This item asks for the *factual* bases of the parties’ claims and defenses, which is different from Question No. 1 in Appendix N; the latter asks for the nature of “the causes of action, defenses, and counterclaims” and the elements of their proof.

- (2) Whether any party demands or has demanded a trial by jury;² and
- (3) Whether the parties consent to a United States Magistrate Judge conducting further proceedings in the case (including trial), entering a final judgment, and conducting post-judgment proceedings.³

So ORDERED and SIGNED this 29th day of March 2023.



DAVID C. GUADERRAMA
UNITED STATES DISTRICT JUDGE

² See FED. R. CIV. P. 38, 39(b), 81(c)(3).

³ Pursuant to 28 U.S.C. § 636(c)(1), all full-time Magistrate Judges may try any jury or non-jury civil case with all parties' consent. Because of the crowded condition of this Division's criminal docket and the resulting difficulty in scheduling civil trials before a District Judge, the parties may wish to consent to trial by a United States Magistrate Judge.

If a party wishes to consent to trial before a Magistrate Judge, it must file a notice of consent as soon as possible. Such consent must be voluntary, and a party is free to withhold consent without suffering adverse consequences. If all parties so consent, the Court will enter an order referring the case to a Magistrate Judge for trial and for entry of judgment. If the Court has previously referred the case to a Magistrate Judge for pretrial matters, the trial will occur before the Magistrate Judge already assigned to the case.