

**EARLY MEETING OF COUNSEL, JOINT STATUS REPORT AND STATUS CONFERENCE INSTRUCTIONS**

1. A copy of these instructions must be attached to the copy of the complaint served upon each party, and the proof of service of the summons and complaint must indicate that such copy was served therewith.
2. If the proceeding involves money or property exceeding \$10,000, or if plaintiff believes trial time will exceed 4 hours, plaintiff must serve, with the summons and complaint, a notice that compliance with Local Bankruptcy Rule 7026-1 required. Plaintiff must also file proof of service of the notice with proof of service of the summons and complaint.
3. If Local Bankruptcy Rule 7026-1 applies, counsel for the parties MUST TIMELY MEET TO DISCUSS SETTLEMENT AND TO EXCHANGE DOCUMENTS, OTHER EVIDENCE, AND LISTS OF WITNESSES AND PRELIMINARY DISCOVERY SCHEDULES AS PROVIDED IN SAID RULE. FRCP RULE 26(f) DOES NOT APPLY TO THIS PROCEEDING.
4. Unless all defendants have defaulted, the parties shall file a Joint Status Report pursuant to Local Bankruptcy Rule 7016-1(1)(b) at least 10 court days before the date of the status conference in a form substantially similar to Local Form No. F7016-1.1. If Local Bankruptcy Rule 7026-1 applies, the parties must include in the Joint Status Report a statement that they have met to discuss settlement and have exchanged documents, other evidence, lists of witnesses and preliminary discovery schedules.
5. If no response to the complaint is timely filed, plaintiff may request entry of default by the clerk or by the court. See Local Bankruptcy Rule 7055-1. Plaintiff may also request entry of a default judgment by filing and serving an appropriate motion. See FRBP 7055. All motions for default judgment shall be set for hearing before the court.
6. If the parties dispute whether the adversary proceeding is "core" or "non-core," they shall file points and authorities in support of their positions. Any party that contends the proceeding is "non-core" shall file and serve its points and authorities at least 14 days before the status conference. Any response must be filed and served at least 7 days before the status conference.
7. Unless a party objects in writing in the first Joint Status Report or the Court orders otherwise, direct testimony at trial will be presented by declaration(s).
8. Failure to comply with these instructions will subject the party responsible to sanctions.
9. At the status conference a date may be set for a further status conference, a pre-trial conference and/or for trial.
10. Failure of counsel for any party to appear at a status conference or pre-trial conference may be considered an abandonment or failure to prosecute or defend diligently and the proceeding may be dismissed or judgment entered against the defaulting party.

(Rev. 9/01/98)

ALAN M. AHART  
United States Bankruptcy Judge