

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

_____)	
AF HOLDINGS, LLC,)	Civil Action No. 3:12-cv-01401-JBA
)	
Plaintiff/Counterdefendant,)	
)	
v.)	JUNE 10, 2013
)	
ELLIOT OLIVAS,)	
)	
Defendant/Counterplaintiff.)	
_____)	

DEFENDANT’S STATEMENT OF PROPOSED PRETRIAL SCHEDULE

I. INTRODUCTION

On October 1, 2010 Plaintiff AF Holdings filed the instant civil action pursuant to 17 U.S.C. § 101, *et al* against Defendant Elliot Olivas.¹

On April 3, 2013, following a Pre-Filing Conference hearing before this Court, Defendant attempted to discuss initial disclosures under Rule 26(a)(1) with the Plaintiff. Defendant served Plaintiff both via an email and certified mail an outline the nature of the discovery he would be seeking from the Plaintiff. Exhibit A. Plaintiff did not responded other than to inform Defendant that the requests were forwarded to Paul Duffy of Prenda Law, Inc.

On May 30, 2013, Defendant served a 26(f) Proposed Joint Pretrial Discovery Schedule on the Plaintiff. Exhibit B. On June 4, 2013, Defendant contacted Plaintiff to inquire about his Proposed Schedule, but no resolution was reached. Defendant has not heard further from the Plaintiff regarding the issue and now files his own 26(f) Proposed Pretrial Discovery Schedule.

II. PROPOSED PRETRIAL SCHEDULE

In compliance with Local Rule 26, counsel for the parties have conferred and now submit this proposed pretrial schedule in advance of the initial scheduling conference.

The parties’ certifications under Local Rule 26 will be filed separately.

1. Initial Disclosures.

Initial disclosures required by Fed. R. Civ. P. 26(a)(1) must be completed by June 21, 2013.

¹ To date, Plaintiff has neither answered Defendant’s counterclaims, nor moved to dismiss them.

2. Amendments to Pleadings.

Except for good cause shown, no motions seeking leave to add new parties or to amend the pleadings to assert new claims or defenses may be filed after June 21, 2013.

3. Fact Discovery – Interim Deadlines.

- a. Written discovery (requests for production of documents and interrogatories) shall be served no later than June 21, 2013.
- b. Requests for admissions shall be served no later than July 1, 2013.
- c. All depositions, other than expert depositions, must be completed by August 1, 2013.

4. Fact Discovery – Final Deadline

All discovery, other than expert discovery, must be completed by August 1, 2013.

5. Status Conference.

A status conference will be held on November 15, 2013.

6. Expert Discovery.

- a. The party having the burden of proof on an issue must designate, and disclose the information contemplated by Fed. R. Civ. P. 26(a)(2) for trial expert(s) on that issue by September 1, 2013.
- b. Opposing trial experts must be designated, and the information contemplated by Fed. R. Civ. P. 26(a)(2) must be disclosed, by October 1, 2013.
- c. All trial experts must be deposed by November 1, 2013.

7. Dispositive Motions.

- a. Dispositive motions, such as motions for summary judgment or partial summary judgment and motions for judgment on the pleadings, must be filed by December 1, 2013.
- b. Oppositions to dispositive motions must be filed within 21 days after service of the motion.
- c. Replies must be filed within 21 days after service of the opposition

8. Initial Pretrial Conference.

An initial pretrial conference will be held on a date to be determined by the Court at a later time.

<p>Plaintiff, AF Holdings LLC By its attorneys,</p> <hr/> <p>Daniel G. Ruggiero, Esq. P.O. Box 291 Canton, MA 02021 Telephone: (339) 237-0343 Fax: (339) 707-2808 druggieroesq@hotmail.com</p>	<p>Respectfully submitted,</p> <p>Defendant, Elliot Olivas By his counsel,</p> <p>s/ Jason Sweet</p> <hr/> <p>Jason E. Sweet (BBO# 668596) BOOTH SWEET LLP 32R Essex Street Cambridge, MA 02139 Tel.: (617) 250-8619 Fax: (617) 250-8883 Email: jsweet@boothsweet.com</p>

Dated: June 10, 2013

Respectfully,

s/ Jason Sweet
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Counsel for Elliot Olivas

CERTIFICATE OF SERVICE

I hereby certify that on June 10, 2013, the foregoing document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing, and paper copies will be served via first-class mail to those indicated as non-registered participants.

s/ Jason Sweet
Jason E. Sweet