

SCHEDULING CONFERENCE CHECKLIST

Case Name/Number:

Date/Time of Conference:

Date of Notice of Charges (NOC):

60 day hearing deadline

300 days from NOC:

Participants:

a. Enforcement:

b. Respondent(s):

Topics:

1. Hearing location:

2. Necessity of conducting hearing more than 60 days after service of NOC?

3. Simple and clear statement of the issues including claims and defenses

4. Amendments to pleadings (12 C.F.R. § 1081.202)

5. Settlement of all or any issues (§ 1081.120)

6. Stipulations (§ 1081.303(f))

7. Document Production (§ 1081.206)

8. Dispositive Motions, Motions for summary disposition of any or all issues? (§ 1081.212)

9. Subpoenas (§ 1081.208)

10. Depositions of witness (§ 1081.209)

11. Expert Discovery and expert reports

Dates Set:

- a. Motion to Dismiss
- b. Response to Motion to Dismiss (20 days after motion filed)
- c. Reply to Motion to Dismiss (5 days after response filed)
- d. Expert reports to be exchanged (See § 1081.210)
- e. List of rebuttal experts (due w/in 28 days of service of expert reports)
- f. Initial expert depositions to be completed
- g. Rebuttals of expert reports to be exchanged
- h. Depositions of rebuttal experts to be completed
- i. Completion of discovery, including any response to subpoenas issued pursuant to 12 C.F.R. § 1081.208
- j. Motions for Summary Disposition (S.D.)
- k. Response to Motion for S.D. (20 days)
- l. Reply to Motion for S.D. (5 days)
- m. Exchange of pre-hearing statements (§ 1081.215), witness lists, exhibits lists, and pre-marked exhibits (at least 10 days prior to hearing)
- n. Hearing date/time needed to present case
- o. Post-hearing briefing in accordance with 12 C.F.R. § 1081.305 (ALJ to notify parties when transcript and exhibits filed; parties have 30 days to submit proposed finding/conclusions and briefs; parties have 15 days to file response briefs)