

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MALIBU MEDIA, LLC,

Case No. 12-12597

Plaintiff,

Bernard A. Friedman

v.

United States District Judge

JOHN DOES 1-43,

Michael Hluchaniuk

Defendants.

United States Magistrate Judge

**SCHEDULING ORDER AND ORDER REQUIRING
COMPLIANCE WITH LOCAL RULES 7.1 AND 37.1**

The following schedule applies to the disposition of **John Doe No. 27's**

Motion to Quash Plaintiff's Subpoena of Comcast (Dkt. 7).

EVENT	DEADLINE
Response to Motion	already filed
Reply to Response	OCTOBER 18, 2012
Joint Statement of Resolved/ Unresolved Issues	NOVEMBER 8, 2012
Hearing Date	NOVEMBER 15, 2012 at 11:00 a.m.
Location of Hearing	Via telephone conference unless either party requests in-person hearing

Procedures to be Followed Regarding the Disposition of the Motion

A. The opposing party must file a response to the original motion,

including a written brief, addressing the unresolved issues by the date indicated above. **Failure to do so may result in sanctions, including granting all or part of the relief requested by the moving party.** If the moving party elects to file a reply brief, it must be filed by the date indicated above.

B. The parties must meet and confer on all presently pending discovery motions in accordance with Local Rules 7.1 and 37.1 and Magistrate Judge Hluchaniuk's Civil Motion Practice Guidelines. See www.mied.uscourts.gov.

C. In the event that all disputed issues are resolved before the hearing, the moving party must prepare a stipulation and proposed order disposing of the motion(s) or a notice of withdrawal of the motion(s). If any disputed issue is resolved after the Joint Statement is filed, the moving party must immediately inform Magistrate Judge Hluchaniuk's case manager by telephone of the resolution at 810.341.7887.

D. If the parties are unable to resolve their differences as the result of such conference, the moving party must prepare a written Joint Statement of Resolved and Unresolved Issues of *no more than five pages*, which includes:

1. A certification that the movant has conferred in good faith with the other party or parties after the filing of the motion in an effort to narrow the areas of disagreement.

2. Identification of each and every issue which remains in dispute,

including any interrogatories, requests for production of documents and/or requests for admissions, which must be done whenever possible by reference to paragraph numbers in the original motion(s) and to relevant exhibits to the original motion.

3. The interrogatories, document requests, requests for admission and the corresponding answers/responses must be attached or copied into the Joint Statement of Resolved and Unresolved Issues. The Joint Statement of Resolved and Unresolved Issues must NOT incorporate by reference disputed interrogatories, requests for production, or requests to admit.

4. The Joint Statement of Resolved and Unresolved Issues must NOT be a reiteration of the parties' briefs.

5. Do NOT attach exhibits to the Joint Statement of Resolved and Unresolved Issues that have already been submitted in support or opposition to the motion(s), except as set forth in paragraph 3.

6. The respective positions of each party on every issue that remains in dispute.

7. Citations of authority that support the respective positions of each party on every issue that remains in dispute.

THIS STATEMENT MUST BE FILED WITH THE CLERK OF THE COURT ON OR BEFORE THE DATE INDICATED ABOVE. **Failure to timely**

submit (or participate in) the Joint Statement of Resolved and Unresolved Issues may result in sanctions, including adjournment or dismissal, or granting of the relief requested in the motion, as appropriate.

E. A hearing will be held if the parties are unable to resolve all issues. If the hearing is to be via conference call, when Magistrate Judge Hluchaniuk is prepared to hear the motion(s), his case manager will telephone the moving party, who will then place the conference call. When all parties are connected, the moving party must telephone Magistrate Judge Hluchaniuk's chambers. If either party wishes the hearing to be held in person, s/he may arrange this by contacting the case manager at 810.341.7887 by October 18, 2012. If the parties agree to have the motion(s) decided without a hearing, this may also be arranged by contacting the case manager.

Date: October 13, 2012

s/Michael Hluchaniuk
Michael Hluchaniuk
United States Magistrate Judge

CERTIFICATE OF SERVICE

I certify that on October 13, 2012, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send electronic notification to the following: Paul J. Nicoletti and Jeffrey P. Thennisch.

s/Tammy Hallwood

Case Manager

(810) 341-7887

tammy_hallwood@mied.uscourts.gov