

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS**

Dallas Buyers Club, LLC)	
)	
)	Case: No. 14-cv-248
Plaintiff,)	
)	
v.)	
)	
Does 1-31,)	
)	
Defendants.)	

RULE 26(f) REPORT

Plaintiff Dallas Buyers Club, LLC, through its undersigned counsel, submits this report and plan for the Court's consideration.

- 1. State where and when the meeting of the parties required by Rule 26(f) was held, and identify the counsel who attended for each party.**

Plaintiff's counsel has attempted to contact Defendants, Comfort Kanu and Jim Dennison, via phone, e-mail and mail. Neither has responded.
- 2. List the cases related to this one that are pending in any state or federal court with the case number and court.** The following pending cases in this Judicial District are related: 14-cv-815, 14-cv-2119, 14-cv-2120, 14-cv-2121, 14-cv-2124, 14-cv-2217, 14-cv-2219, and 14-cv-2220.
- 3. Specify the allegation of federal jurisdiction.** The Copyright Laws of the United States (17 U.S.C. §101 et seq.).
- 4. Name the parties who disagree and the reasons.** None.

5. **List anticipated additional parties that should be included, when they can be added, and by whom they are wanted.** None.
6. **List anticipated interventions.** None.
7. **Describe class–action issues.** None.
8. **State whether each party represents that it has made the initial disclosures required by Rule 26(a). If not, describe the arrangements that have been made to complete the disclosures.** Initial disclosures have not ben exchanged. Plaintiff will conduct the exchange after one or both defendants appear.
9. **Describe the proposed agreed discovery plan, including:**
 - A. **Responses to all the matters raised in Rule 26(f).** None.
 - B. **When and to whom the plaintiff anticipates it may send interrogatories.** Jim Dennison and Comfort Kanu.
 - C. **When and to whom the defendant anticipates it may send interrogatories.** Unknown
 - D. **Whom and by when the plaintiff anticipates taking oral depositions.** By December 4, 2014, Plaintiff expects to complete fact discovery including the depositions of both defendants.

E. Whom and by when the defendant anticipates taking oral depositions. Unknown.

F. List expert depositions the plaintiff anticipates taking and their anticipated completion date. See Rule 26(a)(2)(B) (expert report).
Unknown, however, Plaintiff proposes completing expert discovery by March 7, 2015.

G. List expert depositions the defendant anticipates taking and their anticipated completion date. See Rule 26(a)(2)(B) (expert report).
Unknown.

10. If the parties are not agreed on a part of the discovery plan, describe the separate view and proposals of each party. Plaintiff proposes completing fact discovery by December 5, 2014 and completing expert discovery by March 7, 2015.

11. Specify the discovery beyond initial disclosures that has been undertaken to date. None.

12. State the date the planned discovery can reasonably be completed.
Plaintiff proposes that fact discovery closes by December 5, 2014 and expert discovery closes by March 7, 2015.

13. Describe the possibilities for a prompt settlement or resolution of the case that were discussed in your Rule 26(f) meeting. Plaintiff believes

that a settlement conference with the parties may have a high likelihood of resolving the matter.

14. **Describe what each party has done or agreed to do to bring about a prompt resolution.** Plaintiff has made several attempts to contact the defendants in writing to resolve the matter.
15. **From the attorneys' discussion with the client, state the alternative dispute resolution techniques that are reasonably suitable.** Plaintiff is amenable to any alternative methods that would conserve the resources of the parties and the Court.
16. **Magistrate judges may now hear jury and non-jury trials. Indicate the parties' joint position on a trial before a magistrate judge.** Plaintiff consents to having the matter resolved by a magistrate judge.
17. **State whether a jury demand has been made and if it was made on time.** Plaintiff included a jury demand in the complaint, which was filed on February 3, 2013.
18. **Specify the number of hours it will take to present the evidence in this case.** At this time, Plaintiff expects it will take 14 hours to present evidence.
19. **List pending motions that could be ruled on at the initial pretrial and scheduling conference.** None.

- 20. List other motions pending.** None.
- 21. Indicate other matters peculiar to this case, including discovery that deserve the special attention of the court at the conference.** None.
- 22. List the names, bar numbers, addresses, and telephone numbers of all counsel.** Daniel R. Kirshbaum (Texas Bar No. 11533000) and Keith A. Vogt (Bar No. 6207971)

DATED: August 22, 2014

Respectfully submitted,

Dallas Buyers Club, LLC,

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CERTIFICATE OF SERVICE

I hereby certify that on August 22, 2014, a copy of the foregoing was filed electronically and via e-mail on Comfort Kanu (comikanu@yahoo.com) and Jim Denison (jimswayne@aol.com).

DATED: August 22, 2014

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