

**IN THE MATTER OF
AN ARBITRATION UNDER THE RULES OF
THE AMERICAN HEALTH LAW ASSOCIATION**

	)	Case No.
	)	
	)	
	)	Case Order 1.
Claimant,	)	
	)	
and	)	
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	)	
Respondents.	)	
	)	
	)	

1. Status conference.

A telephone status conference is scheduled for Wednesday, July 19, 2017, at 9:00 a.m. The AHLA has posted the call-in number. The Arbitrator prefers, but does not require, that a client representative participate in the telephone status conference and, if possible, counsel should make arrangements for a client representative to participate in the telephone conference.

2. Discovery.

Claimant has requested leave to serve an initial set of Interrogatories and Requests for Production of Documents, with response due in 30 days. Because of this early request, the Arbitrator enters the following preliminary discovery orders, which may be supplemented at a later date.

A. Initial Discovery.

The Arbitrator hereby grants Claimant's request to initiate discovery; and further, Respondent may also immediately serve Interrogatories and Requests for Production of Documents.

B. Voluntary Disclosures.

The parties are to make voluntary disclosures on or before June 30, 2017 (this date may be extended upon request and for good cause), which disclosures are to include the following: name, address, and telephone number of persons likely to have discoverable information and the subjects of that information that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment purposes; a copy or a description by category and location of all documents and electronically stored information within the disclosing party's possession, custody, or control and that the disclosing party may use to support its claims or defenses, unless privileged or protected from disclosure or is solely for impeachment purposes; and, a computation of each category of damages claimed by the disclosing party and copies of documents or other material, unless privileged or protected from disclosure, on which the computations are based.

C. Limits on Discovery.

The parties may obtain discovery of any nonprivileged matter that is relevant to any party's claim or defense. For good cause, the Arbitrator may order discovery of any matter relevant to the subject matter in this Arbitration.

On motion or on its own, the Arbitrator may limit the frequency or the extent of discovery otherwise permitted if the Arbitrator determines that: 1) the

discovery sought is unreasonably cumulative or duplicative, or can be obtained from some other source that is more convenient, less burdensome, or less expensive; or 2) the burden or expense of the proposed discovery outweighs its likely benefit, considering the needs of the case or the importance of the issues at stake, and the importance of the discovery in resolving the issues.

3. Protective order.

If a party requests a protective order respecting discovery material, the parties are to confer and submit a proposed Protective Order respecting confidential or trade secret information. If the parties cannot agree on a proposed Protective Order, the parties are to submit the agreed-on portions, as well as the not-agreed-on portions of each party. The Arbitrator may schedule a telephone conference to discuss the issues, or request briefing before making a decision.

4. Discovery motions.

No party may submit a discovery motion without leave from the Arbitrator. To submit a discovery dispute to the Arbitrator, the party seeking discovery must first make reasonable efforts to resolve the dispute with the other party. If the dispute is not resolved, the parties will simultaneously submit letters outlining their positions with specificity. If the Arbitrator deems it necessary, the Arbitrator may hold a telephone conference to discuss the issues, or request briefing before ruling on the dispute.

5. Dispositive motions.

No party may submit a dispositive motion without first submitting a 1-2 page letter summarizing the contemplated motion; the opposing party will be permitted to respond by 1-2 page letter; the Arbitrator will then decide what further submissions will be required or permitted.

6. Joint Report of Parties' Planning Meeting.

The parties are to meet and prepare a Joint Report of Parties Planning Meeting and submit the Joint Report to the Arbitrator by July 12, 2017. Complainant's counsel is to initiate contact with Respondents' counsel by June 28 to schedule a meeting or phone conference for the purpose of preparing the Joint Report.

The Joint Report is to contain the following items:

A. The Meeting was attended by:

_____, Counsel for Claimant

_____, Counsel for Respondents

B. Recommended Discovery Plan:

1. Describe subjects on which discovery is to be sought, the nature and extent, and any potential problems: _____

2. Anticipated e-discovery issues, including what ESI is available, is being sought, where it is, difficulty and costs involved, agreements about privilege and work-product issues, etc.: _____

3. Expert witnesses, including how many, subject matters, and proposed timetable for expert discovery: _____

4. Discovery deadlines, including for fact discovery, damages,
and expert discovery: _____

5. Recommended date to submit letters for dispositive motions: _____

6. Recommended dates for final hearing: _____

7. Other matters for Arbitrator's attention: _____

s/ _____ Counsel for Claimant

s/ _____ Counsel for Respondents

IT IS SO ORDERED.

Date: May 31, 2017