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7 Attorneys for Plaintiff
8 UNITED STATES OF AMERICA

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 DANETTE BILLS

15 Defendant.

CASE NO. CV12-04572 JAK (MANx)

JOINT STATUS REPORT AND
REPORT OF EARLY MEETING OF
THE PARTIES

16 TO: THE HON. John Arnold Kronstadt

17 Plaintiff UNITED STATES OF AMERICA and defendant BILLS submit the
18 following joint status report and report of early meeting of the parties in accordance
19 with Local Rule of the District Court of Central District of California, Rules 6.5:

20 **Early Meeting of the Parties**

21 1. The parties met on August 22, 2012, to fulfill their obligations under Local
22 Rule of the District Court of Central District of California, Rule 6.5.

23 **Pleadings/Service**

24 2. There is only one defendant and she has been served. No additional parties
25 will be appearing.

26 3. The defendant has filed and served an answer to the Complaint.

27 4. The case is at issue as to all parties and all causes of action.

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Discovery

5. Initial discovery requests have not yet been sent by Plaintiff. Prior to the status conference, plaintiff and defendant will have made the initial disclosures required by Local Rule of the District Court of Central District of California, Rules 6.2.

6. No other discovery is pending.

7. No problems have arisen with regard to discovery.

8. The following discovery is required to prepare for trial and its schedule for completion is:

<u>Party</u>	<u>Discovery Method</u>	<u>Completion</u>
Plaintiff	Written discovery, Depositions	January 28, 2012
Defendant	Written discovery, Depositions	January 28, 2012

9. Plaintiff expects discovery to be to be completed within one hundred eighty (180) days.

Defendant expects discovery to be to be completed within one hundred eighty (180) days.

The parties propose a motion cut-off date of April 15, 2012.

Law and Motion

10. Plaintiff intends to file a motion for summary judgment. Plaintiff will also file motions to compel discovery if defendant does not comply with discovery. Defendant does not contemplate filing any motions, other than possible motions to compel discovery if necessary, and any other appropriate motions should the necessity arise.

1 The parties propose a motion-cut-off date of May 30, 2012.

2 11. Plaintiff has thoroughly discussed with defendant the substance of
3 plaintiff's contemplated motion for summary judgment and potential resolution of
4 this action without the need for such a motion.

5 **Trial**

6 12. Plaintiff intends to call at least (2) witnesses at trial.

7 Defendant intends to call at least two (2) witnesses at trial.

8 13. Plaintiff may be willing to submit declarations (in lieu of live testimony)
9 at trial at the Court's request or if in compliance with the Judge's rules.

10 Defendant *may be willing* to submit declarations (in lieu of live
11 testimony) at trial at the Court's request or if in compliance with the Judge's rules.

12 14. Plaintiff does intend to introduce any depositions at trial.

13 Defendant does intend to introduce any depositions at trial.

14 15. Plaintiff intends to introduce more than ten (10) exhibits at trial.

15 Defendant intends to introduce more than ten (10) exhibits at trial.

16 16. Plaintiff may intend to ask the Court to take judicial notice of facts at trial.

17 Defendant may intend to ask the Court to take judicial notice of facts at trial.

18 17. Plaintiff estimates the time required to try this case to be 1-2 days.

19 Defendant estimates the time required to try this case to be 1-2 days.

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21 **Settlement**

22 18. The parties have discussed settlement.

23 19. Settlement was discussed at the time Defendant filed her answer, and
24 Defendant is working on getting documents that demonstrate that another person had
25 taken out this student loan in her name. Plaintiff had attempted to contact Defendant
26 to get a status, but was unable to reach Defendant before the date of this conference.
27 As of this date, Defendant has been trying to obtain, but has not yet been able to

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1 provide said documents. Thus, parties have been unable to reach a settlement at this
2 time. However, given the nature of the small balance, it is apparent that early
3 settlement will be most beneficial to both parties in reducing the costs of litigating this
4 matter. In addition, if Defendant obtains documents that will demonstrate that she was
5 a victim of identity theft, then Plaintiff would like to review those documents and
6 dismiss the case if they support Defendant's claim.

7 20. A settlement conference may be of assistance in achieving settlement.
8 Any judge or mediator designated by the Court to preside at the conference is
9 acceptable to both plaintiff and defendant.

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11 **Readiness For Trial**

12 21. Plaintiff estimates this case will be ready for trial within 12 months.

13 Defendant estimates this case will be ready for trial within 12 months.

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15 **Duty of Initial Continuing Disclosure**

16 22. Both plaintiff and defendant understand that each of them has an initial
17 duty to promptly advise the other of the names, last-known addresses, and last-
18 known telephone numbers of all individuals having knowledge of the facts
19 supporting the allegations in his pleading (complaint or answer) or rebutting the
20 allegations in the pleading filed by the other party. Both plaintiff and defendant
21 understand that each of them is also under a continuing duty to promptly advise the
22 other of the names, last-known addresses, and last-known telephone numbers of
23 any individuals, not previously disclosed, who become known to them and who
24 may have knowledge of the facts supporting the material allegations in his pleading
25 or rebutting the allegations in the pleading filed by the other party.

26 23. Both plaintiff and defendant understand that each of them has an initial
27 duty to provide the other with a list of all documents, data compilations, and

1 tangible things reasonably available to him and which he contemplates using to
2 support the allegations in his pleading or to rebut the allegations in the pleading filed
3 by the other party. Both plaintiff and defendant understand that each of them also
4 is under a continuing duty to disclose to the other such additional documents, data
5 compilations and tangible things as may become known to him and which he
6 contemplates using to support the allegations in his pleading or to rebut the
7 allegations in the pleading filed by the other party. Both plaintiff and defendant
8 understand that each of them must make those documents, data compilations, and
9 tangible things available for inspection and copying by the other to the same extent
10 he would have to do had a formal request for inspection and copying been served
11 on him pursuant to under Federal Rule of Civil Procedure, Rule 34.

12 24. Defendant understands that he must provide plaintiff with information
13 about every insurance agreement under which an insurance company may have a
14 duty to indemnify or reimburse him for any payments he may make to satisfy any
15 judgment which may be entered in this action. Defendant understands that he must
16 make every insurance agreement available for inspection and copying by plaintiff to
17 the same extent he would have to do had a formal request for inspection and
18 copying been made pursuant to Federal Rule of Civil Procedure, Rule 34.

19 25. Plaintiff understands that he has a duty to provide defendant with a
20 computation of damages claimed by it and must make available to defendant, to the
21 same extent he would have to do had a formal request for inspection and copying
22 been made pursuant to Federal Rule of Civil Procedure, Rule 34, the documents
23 and other evidentiary materials (not privileged or protected from disclosure) on
24 which the computation is based and which will be used by plaintiff to establish the
25 extent of damages.

26 26. Plaintiff and defendant both understand that if a party fails to fulfill his
27 obligations to disclose any witness, document or other item to the other party, that

1 witness, document or other item may be subject to exclusion at trial.

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3 27. Plaintiff and defendant intend to complete all initial disclosures prior to
4 the first status conference.

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6 Dated: August 22, 2012

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/S/WILLIAM GOLDSMITH

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WILLIAM I. GOLDSMITH
GOLDSMITH & HULL
Attorney for Plaintiff
UNITED STATES OF AMERICA

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/S/ DANETTE BILLS

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DANETTE BILLS

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Defendant

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 16933 Parthenia Street Northridge, CA 91343.

On the date set forth below I served the foregoing document described as **JOINT STATUS REPORT AND REPORT OF EARLY MEETING OF THE PARTIES** on the interested parties in this action by placing a duplicate original(s) true copy(ies) thereof enclosed in a sealed envelope addressed as follows as stated on the attached list:

Danette Bills
5731 Delamar
Fontana CA 92336

BY MAIL. I deposited such envelope, postage thereon fully prepaid, in the United States mail at Northridge, California.


As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Northridge, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

BY PERSONAL SERVICE. I delivered such envelope(s) by hand to the office(s) of the addressee(s).

STATE. I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct

FEDERAL. I declare that I am employed in the office of a member of the bar of this court at whose direction this service was made.

Executed on August ²³~~22~~, 2012 at Northridge, California


S. MOLINA