

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GETTY IMAGES (US) INC.,	:
	:
Plaintiff,	:
	:
v.	:
	:
ADVERNET, INC., f/k/a/ VR MARKETING, INC.,	:
	:
Defendant.	:
-----	x

Case No. 09cv1895 (DAB)

Rule 26(f) Conference Report

The parties have conferred pursuant to Rule 26(f), and submit the following Discovery Planning Report:

The parties have discussed the nature and basis of their claims and defenses in detail prior to and after the filing of the complaint. They have discussed the possibility of resolving the issues in this case and continue to do so.

Initial disclosures will be made on or before August 26, 2009.

The parties have discussed the topics set forth in Rule 26(f)(3) of the Federal Rules of Civil Procedure, including the preservation of discoverable information and the disclosure of electronically stored information, and have agreed that documents will be disclosed in PDF format. Metadata will be preserved but does not have to be disclosed unless the requesting party identifies the specific documents for which it seeks the disclosure of metadata and the reason for the request. There appear to be no unusual issues about claims of privilege or of protection as trial-preparation materials. The parties agree that no changes should be made in the limitations on discovery imposed under the Federal Rules or by local rule, and do not believe it is necessary to impose other limitations. The parties suggest the following discovery plan:

All discovery must be completed by November 10, 2009.

Each party will disclose its expert reports on any issue on which it bears the burden of proof on or before September 28, 2009. Rebuttal expert reports will be disclosed on or before October 28, 2009.

Dispositive motions will be served on or before December 10, 2009. Oppositions to dispositive motions will be served on January 10, 2010. Reply papers, if any, will be served on January 29, 2010.

If no dispositive motions are filed, the parties will submit their proposed Pre-Trial Order on January 10, 2010.

The parties expect the trial to last two days.

Respectfully submitted,

Dated: August 19, 2009
New York, New York

/s/

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SO ORDERED:

U.S.D.J.