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L R Civ P 16.1 Form (03/2020)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY

United States

v.

CASE NO. 5:24-cv-00456

Ryan Bailey
and RKB, Inc.

Guideline for parties and attorneys:
The parties are advised to use the *Worksheet for Report of Parties' Planning Meeting* (located on the Court's website at www.wvsd.uscourts.gov) and the suggested Guidelines contained in the form's comments.

REPORT OF PARTIES' PLANNING MEETING

1. Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, a meeting was held on June 22, 2026. Those participating were:

Gregory Neil, AUSA	for plaintiff(s)	
Todd Houck	for defendant(s)	Ryan Bailey
James Sheatsley	for defendant(s)	RKB, Inc.
	for defendant(s)	

2. Pre-Discovery Initial Disclosures. The parties will exchange by July 6, 2026 the information required by Fed. R. Civ. P. 26(a)(1).

3. Plaintiff(s) should be allowed until July 6, 2026 to join additional parties and until July 6, 2026 to amend the pleadings. Defendant(s) should be allowed until July 6, 2026 to join additional parties and until July 6, 2026 to amend the pleadings.

4. Discovery Plan. The parties jointly propose to the court the following discovery plan [Use separate paragraphs or subparagraphs as necessary if the parties disagree.]:

a. Discovery will be needed on the following subjects:

Since Defendant Ryan Bailey has admitted the conduct alleged in the Complaint, the parties do not believe significant discovery will be needed. Some limited financial discovery may be conducted to identify assets.

b. The parties have reviewed Local Rule 26.5 and have discussed how the preservation, discovery, and disclosure of electronically stored information ("ESI") should be handled, including the following:

i. It is likely that one or more parties will seek discovery of electronically stored information such as emails, files or documents stored on a server or computer, or other electronic documents.

☐ Yes ■ No

(If No, no other fields in Section 4.b need to be completed.)

The parties have generally agreed upon a format for production of ESI, as follows:

ii. The parties believe it is possible that metadata may be relevant in this case, such as the date stamp when an electronic document was created or modified.

☐ Yes ☐ No

The parties have generally agreed upon a format for production of such metadata, as follows:

iii. At this time, the parties have agreed on what ESI is "reasonably accessible" as defined in R. 26(b)(2)(B).

☐ Yes ☐ No

If no, identify the nature of any dispute:

iv. Have the parties agreed on any search protocol for review of electronic data including methods to filter the data?

☐ Yes ☐ No

If yes, please describe:

If no, please identify what issues remain outstanding:

v. Are there any unresolved issues pertaining to the preservation of ESI? If so, please describe:

vi. Other. Identify all other outstanding issues or disputes concerning ESI:

c. The parties agree to file a joint motion for the entry of a protective order and to complete and submit with the motion the court's preferred Agreed Protective Order found online at www.wvsd.uscourts.gov.

■ Yes ☐ No

If no, please explain:

d. The parties agree to file a joint motion for the entry of an Order Governing the Inadvertent Disclosure of Documents or Other Material and to complete and submit with the motion the court's preferred Agreed Order Governing the Inadvertent Disclosure of Documents or Other Material found online at www.wvsd.uscourts.gov.

■ Yes ☐ No

If no, please explain:

e. The parties agree to file a joint motion for the entry of an Agreed Order Setting Disposition Protocol and to complete and submit with the motion the court's optional Order Setting Disposition Protocol available online at www.wvsd.uscourts.gov.

☐ Yes ■ No

f. The last day to serve discovery requests is 9/15/26. The last date on which to take a discovery deposition is 45 days after the last date to serve discovery requests. The last date on which to take a discovery deposition is known as the

"discovery completion date." [Discovery on _____ to be completed by _____.]

g. The parties adopt the discovery limits set forth in the Federal Rules of Civil Procedure.

■ Yes ☐ No

If the parties and attorneys believe that more discovery is needed, the basis for that belief is:

h. The parties believe that this case requires additional judicial oversight such as special case management procedures or regularly held conferences.

☐ Yes ■ No

If yes, please describe why the case requires additional judicial oversight and the type of oversight requested:

i. Reports from retained experts under Rule 26(a)(2) due:

By the party bearing the burden of proof on an issue: 8/30/26.

By the party not bearing the burden of proof on an issue: 9/30/26.

Expert witness disclosures intended solely to contradict or rebut evidence on the same issue identified by another party: 10/16/26.

5. Magistrate judges will resolve all discovery disputes. The parties do not consent to have a United States Magistrate Judge conduct any further proceedings in this case, including trial, and order the entry of a final judgment.

6. Mediation shall take place on or before 11/30/26.

7. Potential dispositive motions shall be filed by 11/20/26, with responses and replies filed according to the Local Rules.

8. The parties request a pretrial conference in 2/14/27.

The Plaintiff(s) shall submit a proposed pretrial order to Defendant(s) on or before 1/31/27.

The Defendant(s) shall compile a proposed integrated pretrial order and submit it to chambers of the presiding judicial officer on or before 2/7/27.

9. Where applicable, proposed jury instructions shall be exchanged and transmitted to chambers of the presiding judicial officer in Microsoft Word format on or before 2/21/27.

10. Where applicable, findings of fact and conclusions of law shall be exchanged and transmitted to chambers of the presiding judicial officer in Microsoft Word format on or before 2/14/27.

11. A final settlement conference will take place on 2/27/26.

12. The case shall be ready for trial by 2/28/27, and at this time is expected to take approximately 1 days.

The parties do not request a conference with the court before the entry of the scheduling order.

s/ Gregory Neil, AUSA
Signature

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