

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

CHRISTOPHER A. ROLLER,

Plaintiff,

v.

Case No. 05-CV-1297 MD/JGL

GE MEDICAL SYSTEMS INFORMATION
TECHNOLOGIES, INC.,

Defendant.

RULE 26(F) REPORT

Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on July 26, 2005, via telephone. Christopher Roller appeared on behalf of himself and Judith A. Williams-Killackey, Quarles & Brady LLP, 411 East Wisconsin Avenue, Milwaukee, Wisconsin, appeared on behalf of Defendant.

The pretrial conference in this matter is scheduled for August 15, 2005, at 8:45 a.m. before the United States Magistrate Judge Jonathan G. Lebedoff in Suite 9E, U.S. Courthouse, 300 South Fourth Street, Minneapolis MN 55415. Defendant has already requested to attend the pretrial conference by telephone. Plaintiff will be attending in person.

(a) Description of case.

(1) Concise factual summary of Plaintiff's claims;

In the first few months while working at GE, I told some co-workers my story from 1999 - www.mytrumanshow.com. On Feb 18, 2002, I was dismissed over an argument I had with Kevin Impecoven at work a week earlier. Arguments aren't rare anywhere, but when you're

diagnosed with mental illness, there could be possibility that I may harm or kill somebody over an argument, despite having no proof of such a claim. Then on October 28th, 2004, I told my story (www.mytrumanshow.com) of 1999 to a doctor. Despite trying to put some common sense into the doctor, he caged me up like an animal, for fear that "something could happen at any time unpredictably in the future" - that I could harm or kill somebody, which is probably the actual reason for dismissal at GE. I'm suing GE Medical Systems for \$1,000,000,000 for discrimination for mental illness, resulting in loss of job, resulting in pain and suffering from suicidal thoughts and nearly committed, which could have resulted in the death of a future President and the person responsible for godly powers on the planet.

(2) Concise factual summary of Defendant's claims/defenses;

Defendant denies that it committed any violation of any statute or committed any unlawful act in either its treatment of Plaintiff or the separation of Plaintiff's employment with it. Defendant has not yet filed an Answer to the Complaint because it has filed a motion to dismiss on statute of limitations grounds as Plaintiff's employment with it ended in 2002. If Defendant's motion to dismiss is not granted, it intends to file an Answer denying the claims in the Complaint and asserting a number of affirmative defenses, including the fact that Plaintiff has released all of his claims. In addition, Defendant may file a motion to transfer this case to South Dakota.

(3) Statement of jurisdiction (including statutory citations);

This action is a civil action over which this court has original jurisdiction pursuant to 28 U.S.C. § 1332, as the matter in controversy exceeds the sum of \$75,000.

(4) Summary of factual stipulations or agreements;

The parties have agreed to use their best efforts to stipulate to the underlying facts. The parties have not entered into any factual stipulations or agreements to date.

(5) Statement of whether jury trial has been timely demanded by any party.

Plaintiff asserts that he has demanded a jury trial.

(b) Pleadings.

(1) The Answer has not yet been filed as Defendant has filed a motion to dismiss. If that motion is denied, Defendant will file an Answer as required by the Rules of Civil Procedure. Plaintiff inferred the Memorandum in support of Motion to Dismiss is the answer.

(2) All hearings on motions to amend and/or add parties to the action shall be heard:

Plaintiff's Proposal: 30 days.

Defendant's Proposal: 30 days after decision on motion to dismiss.

(c) Discovery limitations.

(1) The parties agree and recommend that the Court limit the use and numbers of discovery procedures as follows:

- (A) 25 interrogatories;
- (B) 25 document requests;
- (C) 5 factual depositions;

(D) 25 requests for admissions;

(E) 1 Rule 35 medical examinations;

(F) _____ other.

(d) Discovery schedule/deadlines.

(1) Because the Defendant has brought a motion to dismiss, it would request that discovery be stayed pending a decision on that motion and that the deadlines for discovery, motions, and trial be based upon the date of that decision in the event that Defendant's motion is denied. Defendant believes this delay will save time and expense and is not burdensome given that Plaintiff waited over three years from his termination to file this suit. Plaintiff's position is that the motion to dismiss is 3.5 months away. The dismissal postponement delays the evidence the plaintiff requires for his other law suits related to conspiracy and discrimination against a godly entity. Plaintiff would like the judge's motion for dismissal decided during this hearing to expedite the case. That or plaintiff would like to proceed without delays. The parties would ask that the Court decide the issue regarding the timing of discovery at the Rule 26 conference on August 15, 2005 in the course of setting deadlines.

(A) **Plaintiff's Proposal:** Six months deadline for completion of non-expert discovery, including service and response to interrogatories, document requests, requests for admission and scheduling of factual depositions;

Defendant's Proposal: A hearing on Defendant's motion to dismiss has been set before Judge Davis on November 18. The discovery Plaintiff mentions relates to other cases, not this case. Because the stay of discovery in this case will not affect discovery in the other cases, Defendant believes that a stay of discovery is appropriate. Six

months after decision on motion to dismiss deadline for completion of non-expert discovery, including service and response to interrogatories, document requests, requests for admission and scheduling of factual depositions;

(B) **Plaintiff's Proposal:** Four months deadline for completion of all Rule 35 medical examinations;

Defendant's Proposal: Four months after decision on motion to dismiss deadline for completion of all Rule 35 medical examinations;

(C) **Plaintiff's Proposal:** One month deadline for service of Rule 26(a) disclosures.

Defendant's Proposal: One month after decision on motion to dismiss deadline for service of Rule 26(a) disclosures.

(e) **Experts.**

The parties anticipate that they will require expert witnesses at time of trial.

(1) The Plaintiff anticipates calling 0 experts.

(2) The Defendant anticipates calling 2 experts in the fields of psychiatry and vocational ability.

(3) The parties recommend that the Court establish the following deadlines for disclosure of experts and experts' opinions consistent with Rule 26(a)(2) as modified by Local Rule 26.3:

Plaintiff's Proposal: Plaintiff shall identify and disclose substance of expert witness opinions under Rule 26(a)(2)(A) and (B) two months. Defendant shall identify and

disclose substance of expert witness opinions under Rule 26(a)(2)(A) and (B) four months.

Expert discovery shall be completed six months.

Defendant's Proposal: Defendant shall identify and disclose substance of expert witness opinions under Rule 26(a)(2)(A) and (B) two months after a decision on the motion to dismiss. Defendant shall identify and disclose substance of expert witness opinions under Rule 26(a)(2)(A) and (B) four months after a decision on the motion to dismiss. Expert discovery shall be completed six months after a decision on the motion to dismiss.

(f) Motion schedule.

(1) The parties recommend that motions be filed and served on or before the following date:

(A) **Plaintiff's Proposal:** Non-dispositive motions six months.

Defendant's Proposal: Non-dispositive motions six months after decision on motion to dismiss.

(B) **Plaintiff's Proposal:** Dispositive motions seven months.

Defendant's Proposal: Dispositive motions seven months after decision on motion to dismiss.

(g) Trial-ready date.

(1) **Plaintiff's Proposal:** The case will be ready for trial on or after twelve months;

Defendant's Proposal: The case will be ready for trial on or after twelve months after decision on motion to dismiss.

(2) **Plaintiff's Proposal:** A final pretrial conference should be held on or before eleven months.

Defendant's Proposal: A final pretrial conference should be held on or before eleven months after a decision on motion to dismiss.

(h) **Insurance carriers/indemnitors.**

List all insurance carriers/indemnitors, including limits of coverage of each Defendant or statement that the Defendant is self-insured:

Defendant has insurance for this matter of up to \$100,000,000 after paying a retention amount of \$25,000,000.

(i) **Settlement.**

The parties have discussed whether alternative dispute resolution (ADR) will be helpful to the resolution of this case and recommend that the matter be referred to a magistrate for a settlement conference following the close of discovery.

(j) **Trial by Magistrate Judge.**

(1) Defendant has not agreed to consent to jurisdiction by the Magistrate Judge pursuant to Title 28, United States Code, Section 636(c). Plaintiff consents to Magistrate Judge, but also wants a jury trial.

Dated: August 10, 2005.

s/CHRISTOPHER A. ROLLER
13150 Harriet Avenue, South
#237
Burnsville MN 55337
Telephone: (952) 239-6410
E-mail: legal@chrisroller.com

Plaintiff

Dated: August 10, 2005.

s/JUDITH A. WILLIAMS-KILLACKEY
(#0280227)
QUARLES & BRADY LLP
411 East Wisconsin Avenue
Suite 2040
Milwaukee WI 53202-4497
Telephone: (414) 277-5439
Facsimile: (414) 978-8702
E-mail: jkillack@quarles.com

Attorneys for Defendant
*GE Medical Systems Information
Technologies, Inc.*