

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**TERRY HOBBS,  
Plaintiff,**

**v.**

**NATALIE PASDAR, Individually, et al.,  
Defendants.**

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**CV NO.: 4-09-CV-0008BSM**

**RULE 26(f) REPORT**

Pursuant to the Court's January 12, 2009 Initial Scheduling Order, the parties submit their Joint Report pursuant to Rule 26(f) of the Federal Rules of Civil Procedure and for same would show as follows:

1. Pursuant to Federal Rule of Civil Procedure 26(f) a meeting was held on February 17, 2009, and again on February 23, 2009. The meetings were attended by:
  - a. J. Cody Hiland, for the Plaintiff;
  - b. Dan D. Davison, and D'Lesli M. Davis for the Defendant Natalie Pasdar.
  - c. Bob Wellenberger for the Defendants Emily Robison, Martha Maguire, incorrectly sued as Martha Seidel, and the Dixie Chicks, a partnership consisting of Natalie Pasdar, Emily Robison and Martha Maguire.
2. **Pre-discovery disclosures:** The parties will exchange the information required by Federal Rule of Civil Procedure 26 (a)(1) by **March 15, 2009**.
3. **Discovery topics:** The parties anticipate that discovery may be needed on, among other things, the following subjects:
  - a. The statements plaintiff claims are defamatory;
  - b. The basis for such statements;

- c. The facts surrounding the statements, including but not limited to the truthfulness of the statements;
  - d. All prior news accounts in which plaintiff has been implicated, mentioned or discussed in the murders of Steve Branch, Christopher Byers, and Michael Moore (“the Murders”);
  - e. Any and all evidence which would support a conclusion that plaintiff was involved in the Murders;
  - f. The plaintiff’s whereabouts and activities before, during and after the Murders;
  - g. Any alibi of Plaintiff for the Murders;
  - h. The personal and professional reputation of Plaintiff;
  - i. The business activities of Plaintiff;
  - j. Any and all persons whose opinion of Plaintiff has changed as a result of the statements in issue;
  - k. The nature of the statements as comment on public affairs and public figures;
  - l. Plaintiff’s status as a public figure, including his agreement to write a book and all dealings with media;
  - m. The psychological history of Plaintiff;
  - n. The damages alleged to have been suffered by Plaintiff; and
  - o. Any claims pled by Plaintiff and the Defendants’ defenses thereto.
4. **Electronic media:** The parties have taken reasonable steps to preserve all electronic or computer based media, and will produce the relevant information in a mutually agreed-upon format.
5. **Discovery deadline:** The parties propose a deadline of **November 1, 2009**, for completing fact discovery and **December 1, 2009** for the completion of expert discovery.
6. **Rules accepted:** The parties waive any limitations pertaining to the number of fact witness depositions. The parties agree to the remaining discovery limitations

imposed by Fed.R.Civ.P. 26(b). The parties reserve, however, the right to seek protection from duplicative and/or harassing discovery requests (including depositions) upon a showing of good cause.

7. **Other orders:** The parties will submit by separate filing an agreed protective order for the Court's consideration.
8. **Initial Disclosures accepted:** The parties do not object to the initial disclosures as set forth by Rule 26 (a) of the Federal Rules of Civil Procedure.
9. **Trial date:** At this time, the parties have no objection to the proposed trial date of the week of **February 8, 2010**. The parties request a twelve (12) member jury at this time.
10. **Deadline to join parties:** The parties propose a deadline of **May 1, 2009**, for joining of parties.
11. **Deadline to amend pleadings:** The parties propose a deadline of **September 1, 2009 for Plaintiff** to amend pleadings and **September 15, 2009**, for Defendants to amend pleadings.
12. **Dispositive motions:** While Defendants anticipate filing a motion well in advance of the deadline, the parties propose a deadline of no later than **November 30, 2009** for filing dispositive motions.

Respectfully submitted,

/s/ J. Cody Hiland

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/s/ Dan D. Davison

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Counsel for Defendant, Natalie Pasdar,  
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Chicks.

/s/ Robert B. Wellenberger

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Attorney for the Defendants, Natalie Pasdar,  
Emily Robinson and Martha Seidel d/b/a the  
Dixie Chicks.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 26<sup>th</sup> day of February, 2009, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which shall send notification of such filing to the following:

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/s/ J. Cody Hiland