

**ADR Docketing Statement<sup>1</sup>**

**(WACO DIVISION ONLY)**

**A. Case Number:** 6:15-cv-00231-WSS

**B. Case Name:** Turk, et al. v. Somervell County Hospital District, et al.

**C. Attorney (or Party, if pro se) filing evaluation form:**

|    |           |   |                         |
|----|-----------|---|-------------------------|
| 1. | Name      | <u>John E. Schulman</u>                 |                         |
|    | Firm      | <u>The Schulman Law Firm, P.C.</u>      |                         |
|    | Address   | <u>6440 N. Central Expwy., Ste. 210</u> |                         |
|    |           | <u>Dallas, Texas 75206</u>              |                         |
|    |           | <u>jschulman@schulmanlaw.com</u>        |                         |
|    | Client    | <u>Albert J. and Shelley Turk</u>       |                         |
|    | Telephone | <u>214-361-2580</u>                     | FAX <u>214-361-6580</u> |

**D. Nature of Relief Sought (Check all that apply):**

1.  Injunctive Relief
2.  Damages: Amount To be determined; Damages still accruing.
3.  Declaratory Relief (Describe): Declare that Plaintiffs' federal and state rights have been violated as stated in Plaintiffs' Complaint.
4.  Attorney Fees Amount Total Amount unknown, to be awarded at end of litigation; Attorneys Fees still accruing.
5.  Other \_\_\_\_\_

**E. Brief Description of Nature of Action:**

Plaintiffs have sued Defendants for violating their First Amendment rights, Dr. Turk's right to due course of law and due process, and for violating the Texas Open Meetings Act.

**F. Status of Settlement Negotiations to Date:**

1. Have settlement negotiations been held?  Yes  No
2. If yes:  Only Counsel Participated  
 Parties as Well as Counsel Participated
3. What is the present status of negotiations?  
Plaintiffs have made a demand; Defendants have not responded with a counter offer.

<sup>1</sup>ADR refers to Alternative Dispute Resolution

4. If settlement negotiations have not been held, why not?  
Thus far, Defendants have chosen not to respond to Plaintiffs' invitation to engage in settlement discussions.

**G. Evaluation:**

1. Could this dispute benefit from the use of some form of ADR?
- Yes  
 No
- a. Reason for choice (must be completed): Plaintiffs believe that this case can and should be mediated. Plaintiffs have already provided Defendants with substantial corroborating evidence that supports their claim.
- b. If yes, what form of ADR would best suit this case<sup>2</sup>
- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Mediation | <input checked="" type="checkbox"/> Early Neutral Evaluation |
| <input type="checkbox"/> Advisory Arbitration | <input type="checkbox"/> Moderated Settlement Conference     |
| <input type="checkbox"/> Mini-Trial           | <input type="checkbox"/> Judicial Settlement Conference      |
| <input type="checkbox"/> Summary Jury Trial   |  |
2. Describe any discovery you believe necessary to utilize ADR effectively:  
Plaintiffs believe that discovery permitted under the Federal Rules of Civil Procedure is appropriate.
3. Have you discussed ADR with other counsel and their clients?  
 Yes  No
4. Will all parties agree to submit the case to ADR?  
 Yes  No  Unsure (Plaintiffs agree)
- a. If yes, have the parties agreed to:
1. An ADR process? \_\_\_\_\_
  2. A provider? \_\_\_\_\_
  3. A tentative date for the ADR proceeding? \_\_\_\_\_

Failure to fully complete this form may result in sanctions pursuant to Fed.R.Civ.P.(16)f.

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<sup>2</sup>For further information on dispute resolution procedures, contact the Clerk.