	Case 3:06-cv-01905-JSW [	Document 81	Filed 08/04/2006	Page 1 of 3	
1 2 3 4 5 6 7 8 9 10	R. Scott Jerger ( <i>pro hac vice</i> ) Field & Jerger, LLP 610 SW Alder Street, Suite 910 Portland, OR 97205 Tel: (503) 228-9115 Fax: (503) 225-0276 Email: <u>scott@fieldjerger.com</u> John C. Gorman (CA State Bar #91515 Gorman & Miller, P.C. 210 N 4th Street, Suite 200 San Jose, CA 95112 Tel: (408) 297-2222 Fax: (408) 297-2224 Email: jgorman@gormanmiller.com Attorneys for Defendants Matthew Katzer and Kamind Associated				
11	UNITED STATES DISTRICT COURT				
12	NORTHERN DISTRICT OF CALIFORNIA				
13	SAN FRANCISCO DIVISION				
14 15	ROBERT JACOBSEN, an individual,	)	Case Number C	06-1905-JSW	
16	Plaintiff,	)			
17	VS.	)	DECLARATION OF R. SCO		
18		) ) VAMINID)		PPORT OF SE MANAGEMENT	
19	MATTHEW KATZER, an individual, KAMIND) ASSOCIATES, INC., an Oregon corporation dba KAM Industries, and KEVIN RUSSELL, an individual,				
20					
21	Defendants.	)			
22	L D Saott Jargan daalara:	)			
23	I, R. Scott Jerger, declare:				
24	1. I, R. Scott Jerger, am over the age of 18 and am competent to testify and make these averments from my own knowledge and observations. I hereby state as follows:				
25 26	2. I am the attorney for Matt Katzer and KAMIND Associates, Inc.				
	Case Number C 06 1905 JSW Declaration of R. Scott Jerger	1			

3. On July 19, 2006, counsel for plaintiff Robert Jacobsen faxed the undersigned a draft "joint" case management statement. The draft case management statement consisted of legal argument, contained virtually no proposed scheduling information, and did not follow the format required by the Court's order requiring the joint case management statement (Docket # 10).

4. On July 20, the undersigned requested a copy of the draft case management statement in Word or WordPerfect format from opposing counsel for Robert Jacobsen for redline editing.
On the same day, counsel for Robert Jacobsen responded to this request with a one-word email response refusing to provide the document in a form that could be edited by the undersigned. *See* Exhibit A.

5. On July 31, 2006, the undersigned provided a copy of his own draft case management statement to counsel for Robert Jacobsen and Kevin Russell in Word format requesting edits from both counsel. On July 31, 2006, counsel for Kevin Russell provided edits. *See* Exhibit B.

6. On July 31, 2006, counsel for Robert Jacobsen responded that she "disagrees" with the draft case management statement and will provide her "own section." *See* Exhibit C.

7. On August 1, 2006, the undersigned requested details on the "disagreement" from counsel for Robert Jacobsen and requested alternate dates for proposed litigation activities from counsel for Robert Jacobsen. *See* Exhibit C.

8. On August 3, 2006, the undersigned again requested details on the "disagreement" from counsel for Robert Jacobsen

9. On August 3, 2006 at 4:00 pm counsel for Robert Jacobsen provided her first specific proposed changes and indicated she would provide further changes on August 4, 2006 after consulting with her client. The proposed changes included legal argument and factual conclusions.

10. On August 4, 2006 at 11:00 am, the undersigned responded to the draft in paragraph 9, above.

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1	11. On August 4, 2006 at 1:00 pm, counsel for Robert Jacobsen responded to the draft in			
2	paragraph 10, above. Again, the proposed changes included legal argument and factual			
3	conclusions.			
4	12. On August 4, 2006 at 3:00 pm, the undersigned, through my paralegal, responded to			
5	the draft in paragraph 11, above, and sent counsel for Robert Jacobsen a final draft.			
6	13. On August 4, 2006 at 10:30pm, counsel for Robert Jacobsen stated to the			
7	undersigned that she would not agree to defendants' 3:00pm final draft.			
8	I declare under penalty of perjury under the laws of the United States of America that the			
9	foregoing is true and correct.			
10	Executed on August 4, 2006 in Portland, Oregon.			
11	/s/			
12	R. Scott Jerger			
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	Case Number C 06 1905 JSW			

Declaration of R. Scott Jerger