

1 **WO**

2

3

4

5

6

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

7

8

9

Robert A. Cuevas,)

No. CV 04-0476-PHX-PGR

10

Plaintiff,)

11

vs.)

ORDER

12

13

City of San Luis, Arizona, et al.,)

14

Defendants.)

15

16

A Scheduling Conference having been held before this Court on Tuesday, May 19, 2009,

17

18

IT IS ORDERED that:

19

(1) An Amended Joint Case Management Report shall be filed no later than **Friday, June 19, 2009**.

20

21

(2) All dispositive motions shall be filed no later than **Friday, June 19, 2009**. The deadline for the filing for Response and Reply briefs shall be calculated pursuant to the Rules of Practice of the United States District Court for the District of Arizona.

22

23

24

(3) All discovery, including answers to interrogatories, shall be completed by **Friday, September 4, 2009**, and supplemental disclosures and discovery responses shall thereafter be made as required by Fed.R.Civ.P. 26(e). Discovery which cannot be timely responded to prior to the discovery deadline will be met with disfavor, and could result in

25

26

27

1 denial of an extension, exclusion of evidence, or the imposition of other sanctions. Parties
2 are directed to LRCiv 7.2(j), which prohibits filing discovery motions unless the parties have
3 first met to resolve any discovery difficulties. If parties cannot reach a resolution of
4 discovery disputes arising during depositions, they are directed to arrange a conference call
5 with the Court to resolve the disputes.

6 (3) A joint letter to the Court, sent directly to Chambers and not filed with the
7 Clerk of the Court, concerning the status of settlement discussions (containing no specific
8 settlement terms or offers) shall be submitted at the time the Joint Pretrial Statement is filed.

9 (5) A Joint Pretrial Statement shall be filed no later than **Monday, September 25,**
10 **2009.** The content of the Joint Pretrial Statement shall include, but not be limited to, that
11 prescribed in a standard form of Joint Pretrial Statement provided to the parties. The parties
12 shall augment the Joint Pretrial Statement as necessary so it contains all of the pretrial
13 disclosures as defined and required by Fed.R.Civ.P. 26(a)(3). It shall be the responsibility
14 of the plaintiff to timely initiate the process of drafting the Joint Pretrial Statement and the
15 plaintiff shall submit its draft of the Joint Pretrial Statement to the defendant no later than ten
16 business days prior to the date for filing the Joint Pretrial Statement.

17 (6) Motions in limine shall be filed no later than **Monday, September 14, 2009.**
18 Responses to motions in limine are due ten business days after service. No replies are
19 permitted. The hearing on the motions in limine, if one is permitted by the Court, will take
20 place at the time of the Pretrial Conference. No motion in limine shall be filed unless a
21 statement of moving counsel is attached thereto certifying that after personal consultation and
22 sincere efforts to do so, counsel have been unable to satisfactorily resolve the matter.

23 (7) The attorneys for each party who will be responsible for trial of the lawsuit, or
24 the parties if pro per, shall appear and participate in a Pretrial Conference on **Monday,**
25 **October 5, 2009, at 11:00a.m.** Because Pretrial Conferences are held for the parties' benefit,
26 and further because the parties' presence will facilitate frank discussion of the pertinent issues
27

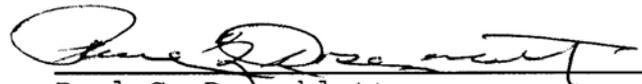
1 in the lawsuit, each party or a representative with binding settlement authority shall attend
2 the Pretrial Conference.

3 (8) Directions for filing trial briefs, proposed findings of fact and conclusions of
4 law or proposed jury instructions and voir dire questions, and for marking trial exhibits shall
5 be set forth in a subsequent order by this Court.

6 (9) Unless subsequently ordered by the Court, the trial of this action shall
7 commence on **Tuesday, October 20, 2009**, at 9:00 a.m., in Courtroom 601, Phoenix,
8 Arizona.

9 (9) **The parties are cautioned that the deadlines set in this Scheduling Order shall**
10 **be enforced, and that the Court will not entertain any stipulations to continue them -**
11 **any request to extend any of the deadlines set herein must be made by means of a**
12 **motion, joint or otherwise, and no such motion shall be granted unless very good cause**
13 **is shown.**

14 DATED this 19th day of May, 2009.

15
16
17 
18 Paul G. Rosenblatt
19 United States District Judge
20
21
22
23
24
25
26
27