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**United States District Court
Central District of California**

11 DECKERS OUTDOOR CORPORATION,

12 Plaintiff,

13 v.

14 SEARS HOLDINGS CORPORATION;
15 SEARS ROEBUCK AND CO.; SEARS
16 BRANDS, LLC; DOES 1–10, inclusive,
17 Defendants.

Lead Case CV 14-02649-ODW(CWx)

ALL CASES

**ORDER SETTING UNIFIED
SCHEDULING CONFERENCE**

18 On July 3, 2014, the Court consolidated the *Deckers* Cases, finding that they are
19 related within the meaning of General Order 08-05, section 5, and Local Rule 83-1.3.
20 (ECF No. 29.) In order to efficiently manage these related cases, the Court **SETS** a
21 unified scheduling conference in all actions for **Monday, September 22, 2014 at 1:30**
22 **pm**—the same date currently set for a scheduling conference in 2:14-cv-02577. The
23 Court accordingly **CONTINUES** the scheduling conferences already set in 2:14-cv-
24 02561 and 2:14-cv-02649 to that date.

25 The Court understands that Defendant J.C. Penney Company Inc. has not yet
26 answered the recently filed First Amended Complaint in 2:14-cv-02565. J.C. Penney
27 Company is therefore not required to attend the scheduling conference or participate
28 in Rule 26(f) discussions unless it answers the First Amended Complaint before the

1 unified scheduling conference. Even if J.C. Penney Company does not answer by that
2 date, it may specially appear at the scheduling conference and otherwise provide its
3 input into the unified schedule without waiving any Rule 12 defenses.

4 In anticipation of the unified scheduling conference, the Court **ORDERS**
5 Plaintiff and all parties who have answered in the *Deckers* Cases to participate in joint
6 Rule 26(f) discussions, preferably in person. The parties shall submit a Rule 26(f)
7 report just like any other scheduling conference and file it in the master case file. But
8 the report should include one set of dates that will govern all of the related actions. If
9 one party disagrees with the others, that party may include its own position in the
10 report. The parties shall file the joint report no later than seven days before the
11 scheduling conference.

12 The Court is especially interested in whether the parties believe that claim
13 construction briefing is necessary. If so, the parties should also discuss whether they
14 want to stay all but claim-construction discovery pending the Court's claim
15 construction. The parties may also include any other scheduling devices that could
16 streamline discovery and minimize the need for duplicative motion practice.

17 **IT IS SO ORDERED.**

18
19 July 9, 2014

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22 **OTIS D. WRIGHT, II**
23 **UNITED STATES DISTRICT JUDGE**