

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DONALD GLASS,)	CASE NO. 1:04-cv-05466-OWW-SMS PC
)	
Plaintiff,)	
)	ORDER STRIKING PLAINTIFF'S
v.)	OBJECTIONS TO DEFENDANTS'
)	PRETRIAL STATEMENT
R.W. BEER, et al.,)	
)	(Doc. 201)
Defendants.)	
)	
)	

This is a civil rights action filed pursuant to 42 U.S.C. § 1983 by Plaintiff Donald Glass, a state prisoner proceeding pro se. This action is proceeding on plaintiff's complaint, filed March 22, 2004, against defendants Beer, Keener, Sloss, Morales, and Dill for violation of the Eighth Amendment, and against defendants Beer, Keener, Sloss, Morales, Dill, Butts, Adkison, Gonzales, Castillo, Buckley, Streeter, Marshall, and Lloren for retaliation.

In accordance with the Second Scheduling Order, the parties in this matter submitted separate pretrial statements from which the final pretrial order emanates. Plaintiff filed his pretrial statement December 28, 2009. (Doc. 189.) Defendants filed their pretrial statement January 12, 2010. (Doc. 198.) February 3,

1 2010, Plaintiff filed objections to Defendants' pretrial
2 statement. (Doc. 201.)

3 Plaintiff's objections to Defendants' pretrial statement are
4 not well take as the purpose of a pretrial statement,
5 particularly when filed by the parties separately, which defeats
6 the purpose of narrowing issues for trial.

7 Accordingly, Plaintiff's Objections to Defendants' Pretrial
8 Statement, filed February 3, 2010 are NOTED. The two pre-trial
9 statements will be harmonized for preparation of the final pre
10 trial conference order.

11
12 IT IS SO ORDERED.

13 Dated: March 8, 2010

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE