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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL ANTHONY VICTORY,

CASE NO. 1:05-cv-01578-LJO DLB PC

Plaintiff,

ORDER SETTING TELEPHONIC TRIAL
SETTING CONFERENCE HEARING

v.

SCHWARZENEGGER, et al.,

Telephonic Status Conference Hearing: June 2,
2010 at 8:15 AM, in Courtroom 4 before the
Honorable Lawrence J. O’Neill, District Judge

Defendants.

_____ /

Plaintiff Michael Anthony Victory (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on Plaintiff’s first amended complaint against Defendants Barber, Smith, Kushner, Bresler, Salazar, Sacks, Neubarth, and Ortiz for violation of the Eighth Amendment. THIS MATTER IS MORE THAN FOUR YEARS OLD.

Pursuant to Federal Rule of Civil Procedure 16 and Local Rule 240, the Court sets the following for trial setting conference. During this conference, both parties and the Court will discuss and set the following dates and deadlines, including but not limited to: (1) discovery cut-off deadline; (2) pretrial motion filing and hearing deadline, including motions for summary judgment; (3) pretrial statement deadlines; (4) pretrial conference date (typically six weeks before trial); (5) deadline for proposed jury instructions, proposed verdict, and neutral statement

1 of the facts of the case; and (6) trial date, which will not be continued.

2 Accordingly, the Court HEREBY ORDERS the following:

- 3 1) This matter is set for telephonic trial setting conference hearing before the
4 Honorable Lawrence J. O'Neill on **June 2, 2010 at 8:15 AM** in Courtroom 4;
- 5 2) Counsel for Defendants is required to arrange for the participation of Plaintiff in
6 the telephonic status conference hearing and to initiate the telephonic hearing at
7 **(559) 499-5680**.

8
9 IT IS SO ORDERED.

10 **Dated:** April 22, 2010

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE