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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 GARRISON S. JOHNSON,

12 Plaintiff,

Case No. 1:06-cv-01089 ALA (P)

13 vs.

14 W.J. SULLIVAN, et al.,

REVISED SCHEDULING ORDER

15 Defendants.  
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17 On April 3, 2009, this Court issued an order revising the scheduled jury trial date in this  
18 matter to July 13, 2009. (Doc. 189). Due to the recent referral of this matter to mediation, and  
19 scheduling conflicts on this Court's calendar, the trial date in this matter is hereby REVISED to  
20 **October 6, 2009**. Accordingly, the scheduling order issued by the Court on January 27, 2009, as  
21 amended by the Court's April 3, 2009 order, is hereby revised as follows:

- 22 1. The parties may conduct discovery until **August 14, 2009**. Any motions  
23 necessary to compel discovery shall be filed by that date. All requests for  
24 discovery pursuant to Rules 31, 33, 34, or 36 of the Federal Rules of Civil  
25 Procedure shall be served no later than that date.  
26 2. All pretrial motions, including all motions to dismiss and motions for summary

judgment, but excluding motions to compel discovery, shall be filed on or before **August 28, 2009**.

3. Plaintiff's pretrial statement and any motions necessary to obtain the attendance of witnesses at trial shall be filed on or before **August 28, 2009**. Defendant shall file a pretrial statement (and any motions necessary to obtain the attendance of witnesses at trial, if any) on or before **September 4, 2009**. The parties are advised that failure to file a pretrial statement may result in the imposition of sanctions, including dismissal of this action.

4. On **September 4, 2009**, the parties shall file Memoranda of Contentions of Fact and Law; Exhibit and Witness Lists; a Status Report regarding Settlement; Agreed-upon Jury Instruction and Verdict Forms; and, a Joint Statement regarding Disputed Jury Instructions and Verdict Forms.

5. Pretrial conference (as described in Local Rule 16-282) is continued in this case to **September 9, 2009**. The pretrial conference shall be conducted on the file only, without appearance by either party. Motions in limine and proposed voir dire questions, as well as a lodged agreed-to statement of the case are also due on **September 9, 2009**.

6. This matter is now set for jury trial before the Honorable Arthur L. Alarcón on **October 6, 2009 at 9:00 a.m.**, in the United States District Court, Eastern District of California, Fresno, in Courtroom 8, 6th floor.

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DATED: April 27, 2009

/s/ Arthur L. Alarcón  
UNITED STATES CIRCUIT JUDGE  
Sitting by Designation