

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

GARRISON S. JOHNSON,

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

VS.

W.J. SULLIVAN, et al.,

## REVISED SCHEDULING ORDER

## Defendants.

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

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

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

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

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

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

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

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22 DATED: April 27, 2009

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