

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**

SAUL BARRIOS PEREZ,)	Case No.: 1:07-cv-01794-BAM (PC)
)	
Plaintiff,)	AMENDED SECOND SCHEDULING ORDER
)	
v.)	<u>Telephonic Trial Confirmation</u>
)	<u>Hearing: November 18, 2015, at 10:00 a.m.</u>
DILL, et al.,)	in Courtroom 8 (BAM)
)	
Defendants.)	<u>Jury Trial: February 9, 2016, at 8:30 a.m.</u>
)	in Courtroom 8 (BAM)
)	
)	

Plaintiff Saul Barrios Perez (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff’s claims against Defendants Dill, Harden, Sobbe, Sandoval, Tyson, Chan, and Brown for conditions of confinement in violation of the Eighth Amendment. In light of the order assigning this action to the undersigned Magistrate Judge, the Court issues an amended schedule for this litigation.

Accordingly, the Court HEREBY ORDERS as follows:

1. **This matter is set for telephonic trial confirmation hearing before the Honorable Barbara A. McAuliffe on November 18, 2015, at 10:00 a.m. in Courtroom 8;**
2. **This matter is set for jury trial before the Honorable Barbara A. McAuliffe on February 9, 2016, at 8:30 a.m. in Courtroom 8;**

1 3. All other dates, requirements, and instructions in the Court's August 31, 2015 order in
2 this matter remain the same. Namely:

3 a. Counsel for Defendants is required to arrange for the participation of Plaintiff in
4 the telephonic trial confirmation hearing and to initiate the telephonic hearing at **(559) 499-5689**;

5 b. Plaintiff shall serve and file a pretrial statement as described in the Court's
6 August 31, 2015 order on or before October 19, 2015;

7 c. Defendants shall serve and file any amended or supplemental pretrial statement,
8 if any, on or before November 2, 2015. In addition to electronically filing their amended or
9 supplemental pretrial statement, Defendants shall e-mail the statement to:
10 bamorders@caed.uscourts.gov;

11 d. If Plaintiff intends to call incarcerated witnesses at time of trial, Plaintiff shall
12 serve and file a motion for attendance of incarcerated witnesses as described in the Court's August 31,
13 2015 order on or before October 19, 2015;

14 e. The opposition to the motion for the attendance of incarcerated witnesses, if
15 any, shall be filed on or before November 2, 2015; and,

16 f. If Plaintiff wishes to obtain the attendance of unincarcerated witnesses who
17 refuse to testify voluntarily, he must notify the Court of their names and locations on or before
18 October 19, 2015, and he must submit the money orders, as described in subsection 4 of the Court's
19 August 31, 2015 order, to the Court on or before December 17, 2015.

20
21 IT IS SO ORDERED.

22 Dated: October 6, 2015

23 /s/ Barbara A. McAuliffe
24 UNITED STATES MAGISTRATE JUDGE