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

EFRAIN MUNOZ, *individually and on
behalf of all others similarly situated,
et al.*,

Plaintiffs,

v.

PHH MORTGAGE CORPORATION,
et al.,

Defendants.

No. 1:08-cv-00759-MMB-BAM

ORDER

15 On March 24, 2023, the Ninth Circuit issued its mandate in this matter
16 (ECF 559). Consistent with the Ninth Circuit's mandate and its memorandum
17 disposition (ECF 557), the court **ORDERS** as follows:

18 1. Part VI of the first amended pretrial order (ECF 460) entered on
19 October 12, 2021, will continue to govern document formatting.

20 2. Counsel are directed to meet and confer to discuss a Rule 26 dis-
21 covery plan as to matters encompassed by the Ninth Circuit's remand instruc-
22 tions and a Rule 16 scheduling order for completing pretrial discovery and mo-
23 tion practice made necessary by the remand.

24 3. Within 30 days of the date of this order, the parties must submit a
25 discovery plan consistent with Fed. R. Civ. P. 26(f)(3) and L.R. 240(b) and a
26 proposed scheduling order for entry under Fed. R. Civ. P. 16. The scheduling

1 order should not set dates for the remand pretrial conference and trial; the
2 court will determine those later after consulting with the parties.

3 4. The court will not schedule a status conference at this time but
4 may do so following receipt of the parties' discovery plan and proposed sched-
5 uling order. Insofar as there are other matters that the parties would like to
6 bring to the court's attention, please do so in the discovery plan or in an accom-
7 panying status report.

8 Dated: April 11, 2023

/s/ M. Miller Baker

9

M. Miller Baker, Judge¹

¹ Judge of the United States Court of International Trade, sitting by designation.