

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

8 ANTHONY DEAN SLAMA,

CASE NO. 1:08-cv-00810-SKO

9 Plaintiff,

10 **ORDER REQUIRING PARTIES TO FILE A**
11 **JOINT PRETRIAL CONFERENCE**
12 **STATEMENT**

v.

13 CITY OF MADERA, et al.,

14 Defendants.
15 _____ /

16 On May 31, 2013, pursuant to the request of counsel for Plaintiff Anthony Dean Slama
17 ("Plaintiff"), the Court continued the trial date to September 3, 2013. (Docs. 172, 173.) The pretrial
18 conference was set for August 1, 2013. (Docs. 172, 173.)

19 Rule 281 of the Local Rules of the United States District Court, Eastern District of California
20 requires the parties to file a joint pretrial statement "[n]ot less than seven (7) days before the date set
21 by the Court for the holding of the final pretrial conference." Local Rule 281(a)(2). As such, the
22 joint pretrial conference statement was due in this case on July 25, 2013. The parties failed to file
23 a statement.¹

24
25 _____
26 ¹ The Court notes that the parties had filed an amended pretrial conference statement on May 23, 2013, prior
27 to the previous pretrial conference held on May 31, 2013. (Doc. 170.) This document is not sufficient because (1) Local
28 Rule 281 requires the filing of a pretrial statement before the *final* pretrial conference, and (2) the information provided
is no longer accurate. For example, Defendants list Steven Geringer as a defense witness; however, the Court denied
Defendant's request to allow Mr. Geringer to testify, and Defendants did not file a motion within the time allowed to
renew their request. Further, Defendant's exhibit list contains letters from Mr. Geringer and Plaintiff's exhibit list is
vague and does not properly identify the specific documents Plaintiff's will seek to introduce at trial.

1 Accordingly, IT IS HEREBY ORDERED that the parties file a joint pretrial conference
2 statement that complies with the requirements set forth in Local Rule 281 by **no later than 12:00**
3 **p.m. noon on Monday, July 29, 2013.** The parties should also email a copy of the pretrial
4 conference statement in Word format to skoorders@caed.uscourts.gov by the same deadline. Failure
5 to comply with this order shall result in a continuance of the pretrial conference and trial dates, and
6 may result in the imposition of sanctions. *See, e.g.*, Local Rule 110.

7 IT IS SO ORDERED.

8 **Dated: July 26, 2013**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28