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

PARAMOUNT FARMS, INC.,

CASE NO. CV F 08-1027 LJO SKO

Plaintiff,

ORDER TO DENY EXTENSION OF DATES

vs.

VENTILEX, B.V.,

Defendant.

_____ /

The parties have filed a stipulation to seek to extend motion deadlines and the pretrial conference. The parties' stipulation demonstrates their unfamiliarity with federal trial and this Court's practices. The parties' mindlessly propose to conduct a summary judgment hearing and pretrial conference on the same day. The parties are unable to prepare a pretrial statement and this Court is unable to conduct a pretrial conference prior to summary judgment rulings.

In addition, the parties' stipulation provides no information for this Court to assess whether a September 30, 2010 pretrial conference provides sufficient time prior to the November 1, 2010 trial to address motions in limine, exchange and filing of trial documents, including jury instructions, exhibit and witness lists, and exhibits, and related trial matters. At the pretrial conference, this Court sets deadlines to file and oppose motions in limine and to exchange and file jury instructions, exhibit and witness lists, exhibits, and related trial matters.

The parties propose two weeks to file summary judgment replies which is excessive given the limited value of replies and this Court's 10-page limit on replies. *See* Standing Order, Doc. 6, page 6.

1 If the parties propose revised dates, they are encouraged to forego replies and to consider this Court's
2 practice to hear motions on the record without a hearing.

3 This Court's burdensome caseload of 1,300 cases prevents it to schedule matters to the parties'
4 whim, especially given a prior extension of dates. Scheduling orders are vital to this Court's case
5 management. Scheduling orders "are the heart of case management," *Koplve v. Ford Motor Co.*, 795
6 F.2d 15, 18 (3rd Cir. 1986), and are intended to alleviate case management problems. *Johnson v.*
7 *Mammoth Recreations, Inc.*, 975 F.2d 604, 610 (9th Cir. 1992). A "scheduling conference order is not
8 a frivolous piece of paper, idly entered, which can be cavalierly disregarded without peril." *Johnson*,
9 975 F.2d at 610.

10 Given the absence of necessary detail to support the parties' proposed dates, this Court DENIES
11 the parties' request to extend dates. This Court will entertain a further stipulation which properly
12 addresses the issues raised above and which delineates anticipated summary judgment motions, motions
13 in limine, and other expected motions. If the parties misrepresent the scope or quantity of anticipated
14 motions, this Court will strike such motions and not entertain them. All scheduled dates remain firm
15 absent a verifiable showing of good cause for extension. This Court ADMONISHES the parties that this
16 Court requires strict adherence to the Federal Rules of Civil Procedure, Local Rules, and this Court's
17 Standing Order.

18 IT IS SO ORDERED.

19 **Dated: June 24, 2010**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

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