

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

John Fratus,) No. CV-08-1500-ROS
Plaintiff,) **ORDER**
vs.)
Sergeant Peterson, et al.,)
Defendants.)

IT IS ORDERED pursuant to Fed. R. Civ. P. (FRCP) 16 a Scheduling Conference is set for March 3, 2015 at 10:00 a.m., Arizona time, in Courtroom #3, United States Courthouse, 2500 Tulare Street, Fresno, California. The conference will be conducted via video teleconference. This Court views the Scheduling Conference as critical to its case management responsibilities and the responsibilities of counsel/parties pursuant to FRCP 1.

Judge Silver perceives the Rule 16 Conference as an opportunity to ensure the parties and counsel fully understand the Court's expectations and to thoroughly familiarize herself with the facts and law pertaining to the case. At the conference the parties and counsel are to be completely prepared to discuss and explain both the facts and law as set forth in the Proposed Case Management Plan as well as those anticipated to surface during litigation. The conference is not perfunctory and dialogue with the parties and counsel can comprise a considerable amount of time.

IT IS FURTHER ORDERED all counsel/parties shall conduct an initial case management meeting at least seven days before the Scheduling Conference in accordance

1 with Rule 26(f) of the FRCP and shall discuss the matters set forth in the Court's Agenda for
2 Civil Case Management Meeting.

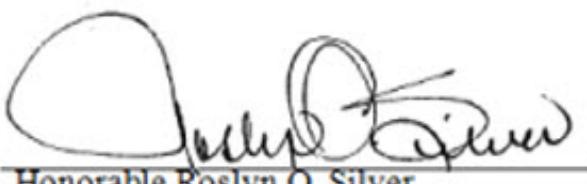
3 **IT IS FURTHER ORDERED** it shall be the responsibility of defense counsel to
4 initiate the communication necessary with Plaintiff to schedule the case management meeting
5 and to prepare both the Proposed Case Management Plan and Proposed Scheduling Order.

6 **IT IS FURTHER ORDERED** at the case management meeting the counsel/parties
7 shall prepare a Proposed Case Management Plan and a Proposed Scheduling Order and shall
8 file them with the Court no later than **February 24, 2015**. Counsel shall submit the Proposed
9 Scheduling Order in Word format to the Court's mailbox at
10 silver_chambers@azd.uscourts.gov.

11 **IT IS FURTHER ORDERED** after the Scheduling Conference the Court will enter
12 a Scheduling Order that shall control the course of this action. To the extent the Court's
13 Scheduling Order differs from the parties'/counsel's Proposed Case Management Plan and/or
14 Proposed Scheduling Order, the Court's Order shall control the course of this action unless
15 modified by Court order, pursuant to FRCP 16(b) and (c).

16 **IT IS FURTHER ORDERED** that counsel/parties shall obtain and use from this
17 Court's website at www.azd.uscourts.gov, (refer to Judges Information; Orders, Forms &
18 Procedures for the Hon. Roslyn O. Silver), only the Court's forms for the Agenda for the
19 Case Management Meeting, the Proposed Case Management Plan, the Proposed Rule 16
20 Scheduling Order, the Joint Proposed Pretrial Order and other documents and orders that are
21 adopted and/or issued by this Court throughout the course of this action.

22 DATED this 13th day of February, 2015.

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Honorable Roslyn O. Silver
Senior United States District Judge
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