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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PAMELA SMITH, et al.,

Plaintiffs,

v.

RICHARD PIERCE

Defendant.

) 1: 09 CV 01641 LJO DLB

) SCHEDULING ORDER (Fed.R.Civ.P 16)

) Discovery Deadlines:

) Initial Disclosures: January 4, 2010

) Non Expert: January 28, 2011

) Expert: February 25, 2011

) Non-Dispositive Motion Deadlines:

) Filing: March 21, 2011

) Hearing: April 18, 2011

) Dispositive Motion Deadlines:

) Filing: April 25, 2011

) Hearing: May 25, 2011

) Settlement Conference:

) April 13, 2011 at 10:00 a.m.

) Courtroom 9

) Pre-Trial Conference:

) June 28, 2011 at 8:30 a.m.

) Courtroom 4

) Trial: August 8, 2011 at 8:30 a.m.

) Courtroom 4 JT 5 to 7 days

I. Date of Scheduling Conference

December 21, 2009.

II. Appearances of Counsel

M. Scott Fontes appeared on behalf of Plaintiffs.

Kevin Reager appeared on behalf of Defendant.

1 Counsel may appear and argue non-dispositive motions by telephone, providing a
2 written request to so appear is made to the Magistrate Judge's Courtroom Clerk no later than five
3 (5) court days before the noticed hearing date. In the event that more than one attorney requests
4 to appear by telephone then it shall be the obligation of the moving part(ies) to arrange and
5 originate a conference call to the court.

6 All Dispositive Pre-Trial Motions shall be filed no later than April 25, 2011 and
7 heard no later than May 25, 2011, in Courtroom 4 before the Honorable Lawrence J. O'Neill,
8 United States District Court Judge. In scheduling such motions, counsel shall comply with **Local**
9 **Rules 78-230 and 56-260.**

10 **Motions for Summary Judgment or Summary Adjudication**

11 Prior to filing a motion for summary judgment or motion for summary
12 adjudication the parties are ORDERED to meet, in person or by telephone, and confer to discuss
13 the issues to be raised in the motion.

14 The purpose of the meeting shall be to: 1) avoid filing motions for summary
15 judgment where a question of fact exists; 2) determine whether the respondent agrees that the
16 motion has merit in whole or in part; 3) discuss whether issues can be resolved without the
17 necessity of briefing; 4) narrow the issues for review by the court; 5) explore the possibility of
18 settlement before the parties incur the expense of briefing a summary judgment motion; 6) to
19 arrive at a joint statement of undisputed facts.

20 The moving party shall initiate the meeting and provide a draft of the joint
21 statement of undisputed facts. In addition to the requirements of Local Rule 56- 260 the moving
22 party shall file a joint statement of undisputed facts.

23 In the notice of motion the moving party shall certify that the parties have met and
24 conferred as ordered above or set forth a statement of good cause for the failure to meet and
25 confer.

