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

SAMI MITRI,
Plaintiff
v.
WALGREEN COMPANY,
Defendant

CASE NO. 1:10-CV-538 AWI SKO
**ORDER ON REQUEST FOR CASE
MANAGEMENT CONFERENCE**

Following a jury trial and various post-trial motions, the Ninth Circuit affirmed in part, reversed in part, and remanded this matter to this Court on April 1, 2014. See Doc. No. 138. The Ninth Circuit remanded this matter in order to address the issue of whether the punitive damages awarded by the jury were constitutionally excessive. See id. On April 10, 2014, a letter from Plaintiff was filed in which Plaintiff requested that the Court set a case management conference in light of the remand, and also requested that additional briefing be submitted in light of intervening case authority.

The Court believes that it is appropriate to permit additional briefing on the issue of whether the amount of the punitive damages award is constitutionally excessive. It appears to the

1 Court that a briefing schedule, as opposed to a full case management conference, is all that is
2 necessary in order to comply with the Ninth Circuit's order. That being said, mandate has not yet
3 issued on the Ninth Circuit's opinion. Once the Ninth Circuit issues its mandate, the Court will set
4 a briefing schedule at that time.

5
6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. Plaintiff's request for a case management conference is DENIED without prejudice at this
8 time;¹ and
- 9 2. Once the Ninth Circuit issues its mandate, the Court will set a briefing schedule and a
10 hearing date in order to resolve the issue of whether the punitive damages awarded were
11 constitutionally excessive.

12 IT IS SO ORDERED.

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14 Dated: April 11, 2014



15 SENIOR DISTRICT JUDGE

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¹¹ Once the Ninth Circuit's mandate issues, if Plaintiff believes that more than a briefing schedule is necessary, the parties may file a new request that explains why a case management conference is necessary.