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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DARRELL ANGEL,

Plaintiff(s),

v.

GOLDEN VALLEY TRANSPORT, LLC.

Defendant.

) 1: 10 CV 00890 LJO DLB

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

) Discovery Deadlines:

) Non Expert: September 1, 2011

) Expert: Amend October 29, 2010

) Non-Dispositive Motion Deadlines:

) Filing: September 14, 2011

) Hearing: October 7, 2011

) Amendments: October, 29, 2010

) Status Conference Re: Class Certification:

) January 20, 2011 at 9:00 a.m.

) Courtroom 9

) Dispositive Motion Deadlines:

) Filing: October 3, 2011

) Hearing: November 15, 2011

) Pre-Trial Conference:

) January 5, 2012 at 8:30 a.m.

) Courtroom 4

) Trial: February 27, 2012 at 8:30 a.m.

) Courtroom 4 JT 5 to 7 days

**I. Date of Scheduling Conference**

September 7, 2010.

**II. Appearances of Counsel**

Neal D. Douglas appeared on behalf of Plaintiff.

Bruce J. Berger appeared on behalf of Defendant.



1 In scheduling such motions, the Magistrate Judge may grant applications for an  
2 order shortening time pursuant to Local Rule 144(e). However, if counsel does not obtain an  
3 order shortening time, the notice of motion *must* comply with Local Rule 251.

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

9 All Dispositive Pre-Trial Motions shall be filed no later than October 3, 2011 and  
10 heard no later than November 15, 2011, in Courtroom 4 before the Honorable Lawrence J.  
11 O'Neill, United States District Court Judge. In scheduling such motions, counsel shall comply  
12 with **Fed.R.Civ.P 56 and Local Rules 230 and 260.**

13 **Motions for Summary Judgment or Summary Adjudication**

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

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

23 The moving party shall initiate the meeting and provide a draft of the joint  
24 statement of undisputed facts. **In addition to the requirements of Local Rule 260 the moving  
25 party shall file a joint statement of undisputed facts.**

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

4 **V. Pre-Trial Conference Date**

5 January 5, 2012 at 8:30 a.m. in Courtroom 4 before Judge O'Neill.

6 The parties are ordered to file a **Joint Pretrial Statement pursuant to Local**  
7 **Rule 281(a)(2)**. The parties are further directed to submit a digital copy of their pretrial statement  
8 in Word Perfect X3<sup>1</sup> format, directly to Judge O'Neill's chambers by email at  
9 LJOOrders@caed.uscourts.gov.

10 Counsels' attention is directed to **Rules 281 and 282 of the Local Rules** of  
11 Practice for the Eastern District of California, as to the obligations of counsel in preparing for the  
12 pre-trial conference. The Court will insist upon strict compliance with those rules. In addition to  
13 the matters set forth in the Local Rules the Joint Pretrial Statement shall include a Joint  
14 Statement of the case to be used by the Court to explain the nature of the case to the jury during  
15 voir dire.

16 **VI. Trial Date**

17 February 27, 2012 at 8:30 a.m. in Courtroom 4 before the Honorable Lawrence J.  
18 O'Neill, United States District Court Judge.

- 19 A. This is a jury trial.  
20 B. Counsels' Estimate of Trial Time: 5 to 7 days.  
21 C. Counsel's attention is directed to Local Rules of Practice for the Eastern  
22 District of California, Rule 285.

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26 <sup>1</sup> If WordPerfect X3 is not available to the parties then the latest version of WordPerfect  
27 or any other word processing program in general use for IBM compatible personal computers is  
28 acceptable.



1                   **Stipulations extending the deadlines contained herein will not be considered**  
2 **unless they are accompanied by affidavits or declarations, and where appropriate attached**  
3 **exhibits, which establish good cause for granting the relief requested.**

4                   Failure to comply with this order may result in the imposition of sanctions.

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6                   IT IS SO ORDERED.

7                   **Dated: September 14, 2010**

/s/ Dennis L. Beck  
                  UNITED STATES MAGISTRATE JUDGE

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