

## SCHEDULING ORDER

The Court has reviewed the Report of the Parties' Planning Meeting [Docket ] filed pursuant to Federal Rule of Civil Procedure 26(f). It is **ORDERED** that the scheduling conference previously scheduled for [DATE] be cancelled. Pursuant to Rule 16(b) and Local Rule of Civil Procedure 16.1(e), it is further **ORDERED** that this case shall proceed as follows:

Amendment of pleadings and joinder of parties.	01/10/2012
Deadline for written discovery requests.	03/26/2012
Expert disclosure by party with burden of proof.	03/12/2012
Expert disclosure by opposing party.	04/09/2012
Expert disclosure for rebuttal purposes.	04/25/2012
Deposition deadline and close of discovery.	05/09/2012
Filing of dispositive motions.	05/29/2012
Responses to dispositive motions.	06/12/2012
Reply to response to dispositive motion	06/19/2012
Hearing on motions for summary judgment	07/26/2012 11:00 AM
Settlement meeting and mediation deadline.	07/30/2012
Filing of motions in limine.	08/06/2012
Responses to motions in limine.	08/13/2012
Plaintiff draft of pretrial order to defendant.	08/03/2012
Integrated pretrial order filed by defendant.	08/10/2012
Pretrial conference.	08/20/2012 11:00 AM
Proposed jury instructions filed.	09/04/2012
Final settlement conference.	09/10/2012 9:00 AM
Trial.	09/17/2012 8:30 AM

The amendment of any pleading and the joinder of any party is subject to Rule 15 and 16, and the accompanying rules governing the joinder of parties.

The last date to complete depositions shall be the "discovery completion date" by which all discovery, including disclosures required by Federal Rule of Civil Procedure 26(a)(1), and (2), but not disclosures required by Federal Rule of Civil Procedure 26(a)(3), shall be completed.

Counsel must contact chambers at **304-347-3192** to schedule hearings on dispositive motions. All hearings will be conducted telephonically or by video conference.

Regarding the settlement meeting, the parties and their lead trial counsel, if any, shall meet and conduct negotiations looking toward the settlement of the action, and counsel and any unrepresented parties will be prepared at the pretrial conference to certify that they have done so. Counsel for the plaintiff(s) shall take the initiative in scheduling the settlement meeting, and all other counsel and unrepresented parties shall cooperate to effect such negotiations. If the action is not settled during the settlement meeting or mediation session, and if there is no order or stipulation to the contrary, counsel and unrepresented parties shall make all Rule 26(a)(3) disclosures at the conclusion of the meeting or session.

The pretrial conference will be conducted **telephonically or by video conference**. Counsel is directed to contact chambers at **304-347-3192** to coordinate the pretrial conference. Lead trial counsel must be fully prepared to discuss all aspects of the case. Individuals with full authority to settle the case for each party must be available during the conference.

Regarding the proposed charge to the jury, counsel shall submit numbered instructions in charge form on substantive theories of recovery or defense, on damages and on evidentiary matters peculiar to the case, and special interrogatories, if any be appropriate to the case, along with a proposed verdict form.

Should lead trial counsel fail to appear at any pre-trial conference or otherwise fail to meet and confer in good faith with opposing counsel as required herein, or should a party or his authorized representative fail to appear or be available at any conference or otherwise fail to meet and confer in good faith as required herein, appropriate sanctions may be imposed,

including, but not limited to, sanctions by way of imposition of attorney fees against the attorney and/or his client pursuant to Rule 16(f).

All civil jury trials shall be held by the court at the **United States Courthouse, Fresno, California.**

The Clerk is directed to transmit copies of this order to all counsel of record and any unrepresented parties.

ENTER: