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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**
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8 **TREVOR WEEKS,**

9 **Plaintiff**

10 **v.**

11 **UNION PACIFIC RAILROAD CO.,**

12 **Defendant**

CASE NO. 1:13-CV-1641 AWI JLT

**ORDER VACATING PRE-TRIAL
CONFERENCE, STRIKING PRE-TRIAL
STATEMENTS, AND PERMITTING
ADDITIONAL RESPONSE**

(Doc. Nos. 103, 105, 106)

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15 Currently under submission is Plaintiff's motion for reconsideration of an order by the
16 Magistrate Judge that denied Plaintiff leave to amend his complaint. Following a hearing on this
17 motion, the Court ordered additional briefing. The Court received the additional briefing after the
18 close of business on April 20, 2017. The pre-trial conference in this matter is set for April 25,
19 2017. Because the Court has now received the supplemental briefing, and an order on the motion
20 for reconsideration has not been issued, the Court finds that it is appropriate to vacate the April 25,
21 2017 pre-trial conference. Once the Court issues its ruling on the motion for reconsideration, it
22 will reset the pre-trial conference date.

23 There is an additional reason to vacate the April 25 pre-trial conference. The parties have
24 submitted a total of three pre-trial statements. A "joint pre-trial statement" was filed one day late
25 on April 19, 2017. See Doc. No. 103. The parties then sent e-mail communications to the
26 Courtroom Deputy regarding the accuracy of the "joint pre-trial statement." Later on April 19,
27 Defendant submitted a pre-trial statement and Plaintiff submitted a pre-trial statement. The
28 submission of three pre-trial statements by parties who are represented by counsel is unacceptable.

1 Parties represented by counsel should have no difficulty submitting a joint pre-trial statement. The
2 Court will strike the three submitted pre-trial statements. Once the Court resets a new pre-trial
3 conference, the parties will submit a new joint pre-trial statement. The failure to submit a joint
4 pre-trial statement will result in the imposition of sanctions upon the parties.

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6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The April 25, 2017 pre-trial conference is VACATED;
- 8 2. The three pre-trial statements (Doc. Nos. 103, 105, 106) are STRICKEN; and
- 9 3. If the parties wish to file a response to the April 20, 2017 briefing, they may file a response
10 on or by April 25, 2017.

11 IT IS SO ORDERED.

12 Dated: April 21, 2017


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14 SENIOR DISTRICT JUDGE