

EASTERN DISTRICT OF CALIFORNIA

Defendants.

Dispositive Motion Deadline: **February 22, 2017**

2. Responses to written discovery requests shall be due **forty-five (45) days** after the request is first served. Boilerplate objections are disfavored and may be summarily overruled by the Court. Responses to document requests shall include all documents within a party's possession, custody or control. See Fed. R. Civ. P.34(a)(1). Documents are deemed within a

1 party's possession, custody or control if the party has actual possession, custody or control
2 thereof, or the legal right to obtain the property on demand. Amendments to discovery responses
3 served after the filing of and in response to a motion to compel are strongly disfavored, absent
4 good faith. The parties are required to act in good faith during the course of discovery and the
5 failure to do so may result in the payment of expenses pursuant to Federal Rule of Civil
6 Procedure 37(a)(5) or other appropriate sanctions authorized by the Federal Rules of Civil
7 Procedure or the Local Rules.

8 3. Pursuant to Federal Rule of Civil Procedure 30(a)(2)(B), Defendant may depose any
9 witness confined in a prison upon condition that, at least fourteen (14) days before such a
10 deposition, Defendant serves all parties with the notice required by Federal Rule of Civil
11 Procedure 30(b)(1). Pursuant to Federal Rule of Civil Procedure 30(b)(4), the parties may take
12 any deposition under this section by video conference without a further motion or order of the
13 Court. Nothing herein forecloses a party from bringing a motion for protective order pursuant to
14 Federal Rule of Civil Procedure 26(c)(1) if necessary.

15 4. If discovery disputes arise, the parties shall comply with all pertinent rules including
16 Rules 5, 7, 11, 26, and 37 of the Federal Rules of Civil Procedure and Rules 110, 130, 131, 133,
17 135, 142, 144, and 251 of the Local Rules of Practice for the United States District Court,
18 Eastern District of California. Rules of Civil Procedure 26 and 37 of a good faith conference or
19 attempt to confer with the other party to resolve the dispute shall not apply. Voluntary
20 compliance with this provision of Rules 26 and 37 is encouraged, and if the Court deems it
21 appropriate in any given case, it will reimpose the good faith meet and confer requirement. A
22 discovery motion that does not comply with applicable rules will be stricken and may result in
23 imposition of sanctions. A moving party should not seek to compel production of documents
24 which are equally available to that moving party, such as documents in plaintiff's jail file.

25 **Amendment to Pleadings:**

26 5. The deadline for amending the pleadings is **August 22, 2016**.

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7. The deadline for filing all dispositive motions is **February 22, 2017**.

8. Once dispositive motions have been resolved, the Court will set the pretrial conference and trial dates.

IT IS SO ORDERED.

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE