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

KENNETH WILLIS,)	Case No.: 1:15-cv-00688 - JLT
)	
Plaintiff,)	ORDER AFTER INFORMAL CONFERENCE
)	
v.)	(Doc. 43)
)	
ENTERPRISE DRILLING FLUIDS, INC., et al.,)	
)	
Defendants.)	
)	
)	

At the request of counsel, the Court held an informal telephone conference to clarify the meet and confer requirements for filing a motion for summary judgment set forth in the scheduling order (Doc. 41 at 3-4). Based upon this conference, the Court **ORDERS:**

1. No later than **March 18, 2016**, counsel for Drilltek **SHALL** provide to other counsel¹, a “file-ready” proposed joint statement of facts which includes **all** material facts upon which the motion is based. The proposed statement of facts **SHALL** include citation to evidence, though it need not provide the evidence cited;

2. No later than **March 25, 2016**, counsel for Plaintiff **SHALL** notify Drilltek’s counsel which facts are undisputed. This facts that *are not* disputed will constitute the “joint statement of

¹ The moving and opposing party SHALL “cc” responses to Enterprise Drilling Fluids, Inc. Enterprise Drilling Fluids, Inc. has indicated that it does not take a position contrary to that of Drilltek. If this has changed and Enterprise now intends to oppose Drilltek’s motion, Enterprise SHALL immediately alert other counsel of this fact and will be bound by all deadlines set for Plaintiff related to this motion.

1 undisputed facts. The facts that *are* disputed—if they are, indeed, material to the motion—must be
2 included in Drilltek’s separate statement of undisputed facts filed along with the motion and the joint
3 statement of facts;

4 3. Drilltek’s **SHALL** file its motion for summary judgment no later than **April 1, 2016**²;

5 4. When the opposition is filed, it may be that Plaintiff no longer disputes some facts that
6 were included in Drilltek’s separate statement. In that event, Plaintiff should note this when responding
7 to Drilltek’s separate statement of undisputed facts. As to the facts that remain disputed, Plaintiff must
8 cite to evidence to support that a dispute exists. Plaintiff may also file his own separate statement of
9 undisputed facts with the opposition, if he believes that there are other material facts which make
10 granting the motion legally impossible;

11 5. If Plaintiff files his own separate statement of undisputed facts, Drilltek **SHALL**
12 respond to the statement at the time it files the reply and indicate which of the opponent’s facts are
13 disputed and which are not.

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15 IT IS SO ORDERED.

16 Dated: March 8, 2016

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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27 ² In the event that the modification to the filing date causes it to be impossible for Plaintiff to file his opposition timely, as
28 soon as this impossibility is known, Plaintiff SHALL seek an informal conference so the Court can adjust the opposition
deadline. The Court does not intend that any extension granted here should prejudice Plaintiff but, if at all possible, the
Court encourages Plaintiff to meet the deadline for filing the opposition, previously set.