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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JARED M. VILLERY,

Plaintiff,

v.

JEFFREY BEARD, et al.,

Defendants.

Case No. 1:15-cv-00987-DAD-BAM (PC)

ORDER SETTING INFORMAL DISCOVERY
TELEPHONIC CONFERENCE

Date: January 12, 2018
Time: 11:00 a.m.
Courtroom: Courtroom 8 (BAM) (by telephone)

Plaintiff Jared M. Villery is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

Pursuant to the Court’s standing order, defense counsel contacted the courtroom deputy to inform the Court that the parties have stipulated to a request for an informal telephonic conference regarding a discovery dispute. Specifically, the parties have a dispute regarding the number and scope of requests for admissions that Plaintiff propounded on Defendants on December 3, 2017. The parties have met and conferred on their dispute, but have been unable to reach a compromise.

Under these circumstances, the Court finds it appropriate to order an informal discovery telephonic conference on Friday, January 12, 2018, at 11:00 a.m., in Courtroom 8 (BAM). To allow the Court to sufficiently prepare for the conference, defense counsel is required to file a Joint Statement no later than Friday, January 5, 2018. All parties shall participate in the preparation of the Joint Statement.

1 The Joint Statement shall set forth the following:

2 (a) a statement that the parties met and conferred in good faith regarding the dispute, and
3 briefly describing that meet and confer;

4 (b) a statement explaining in more detail the specific topics or categories that remain in
5 dispute regarding the requests for admissions that Plaintiff propounded on Defendants on December
6 3, 2017;

7 (c) a statement regarding whether the parties have engaged in any prior settlement
8 negotiations, formal or informal, and whether the parties believe, in good faith, that settlement in
9 this case is a possibility and that a settlement conference would be beneficial; and

10 (d) any other information the parties believe is necessary to inform the Court of prior to the
11 telephonic conference.

12 The Joint Statement should be no more than five (5) pages in length. The parties may, but
13 are not required to, attach a copy of a representative sample of the discovery requests at issue to the
14 Joint Statement for the Court's review. The Court is also willing to discuss settlement issues at the
15 informal telephonic conference, if the parties agree.

16 Accordingly, it is HEREBY ORDERED that:

17 1. This matter is set for an informal discovery telephonic conference before the
18 Honorable Barbara A. McAuliffe on **Friday, January 12, 2018 at 11:00 a.m.** in Courtroom 8;

19 2. Parties appearing telephonically may do so by using the following dial-in number
20 and passcode at the time set for the hearing: dial-in number 1-877-411-9748; passcode 3190866.
21 Defense counsel must arrange for Plaintiff's participation in the telephonic conference;

22 3. Defense counsel must file a Joint Statement as outlined above no later than **Friday,**
23 **January 5, 2018.**

24 IT IS SO ORDERED.

25 Dated: December 15, 2017

/s/ Barbara A. McAuliffe
26 UNITED STATES MAGISTRATE JUDGE

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