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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

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9 CHANNEL CENTENO, et al.,

10 Plaintiffs,

11 v.

12 CITY OF FRESNO, et al.,

13 Defendants.

Case No. 1:16-cv-00653-DAD-SAB

ORDER DENYING STIPULATION TO  
AMEND SCHEDULING ORDER WITHOUT  
PREJUDICE

(ECF No. 30)

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15 On July 21, 2016, the scheduling order issued in this action. On December 29, 2016, the  
16 parties filed a stipulation to amend certain deadlines in the July 21, 2016 scheduling order so  
17 they can complete discovery which will allow the parties to fully explore settlement. The  
18 deadlines proposed in the scheduling order do not provide sufficient time between the proposed  
19 dates and the pretrial conference to allow the court to hear and decide any dispositive motions.  
20 Accordingly, the parties' stipulation to amend the scheduling order is denied without prejudice.

21 The parties are advised that pursuant to the Local Rules the hearing a motion is to be  
22 noticed not less than twenty-eight days after service and filing of the motion. L.R. 230(b). The  
23 proposed schedule does not allow the district judge sufficient to time to hear the motion and  
24 issue an order addressing the motion prior to the pretrial conference. In order to allow  
25 consideration of the motion and for the parties to have time to file a meaningful pretrial  
26 statement, the proposed schedule should allow ten weeks between the motion filing deadline and  
27 the pretrial conference. Additionally if the parties wish to advance the settlement conference  
28 they may contact this Court.

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Based on the foregoing, IT IS HEREBY ORDERED that the parties' stipulation to amend the July 21, 2016 scheduling order is DENIED without prejudice.

IT IS SO ORDERED.

Dated: **December 30, 2016**



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UNITED STATES MAGISTRATE JUDGE