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

CATHERINE MURRIETA,	)	Case No.: 1:16-cv-01552 JLT
	)	
Plaintiff,	)	ORDER TO COUNSEL TO MEET AND CONFER
	)	TO DETERMINE WHETHER THE PARTIES
v.	)	WILL CONSENT TO THE JURISDICTION OF A
	)	DIFFERENT MAGISTRATE JUDGE OR TO
CORRECTIONS CORPORATION OF	)	CONTINUE THE TRIAL
AMERICA,	)	
	)	
Defendant.	)	

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On December 19, 2016 and December 21, 2016, the parties consented to the jurisdiction of Magistrate Judge Thurston. (Docs. 10, 13) However, their consent documents were explicit that they were not consenting to Magistrate Judge jurisdiction generally and expressly reserved their rights to withdraw consent in the event Judge Thurston became unavailable. Id; See Wilhelm v. Rotman, 680 F.3d 1113, 1119 (9th Cir. 2012). Due to an upcoming, extended medical leave, Magistrate Judge Thurston will be unavailable to conduct the pretrial conference and trial in this matter.

This presents the parties with several options. First, they may consent generally to Magistrate Judge jurisdiction and allow the matter to be reassigned to an available Magistrate Judge. In doing so, they will guarantee that they will preserve the dates previously set for the pretrial conference and trial. Second, they may consent to a particular Magistrate Judge for the pretrial conference and trial but when these events occur will depend upon the schedule of the judge selected. Finally, they may agree to continue the pretrial conference and trial to a time when Judge Thurston is available. At this time, it

1 appears the earliest trial date Judge Thurston could accommodate would be February 12, 2018 or  
2 February 19, 2018.

3 Therefore, no later than August 18, 2017, counsel **SHALL** discuss the matter with their clients  
4 and with one another and agree as to how they wish to proceed. If necessary, they may request a  
5 telephone conference with Judge Thurston (via Courtroom Deputy Clerk, Susan Hall at  
6 [Shall@caed.uscourts.gov](mailto:Shall@caed.uscourts.gov)) to further discuss the matter.

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8 IT IS SO ORDERED.

9 Dated: August 2, 2017

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE

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