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5 **UNITED STATES DISTRICT COURT**  
6 **EASTERN DISTRICT OF CALIFORNIA**  
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8 GURU RAM DAS ACADEMY INC.,

9 Plaintiff,

10 v.

11 REX TILLERSON,<sup>1</sup> et al.,

12 Defendants.

Case No. 1:16-cv-01906-AWI-SAB

ORDER RE STIPULATION FOR BRIEFING  
SCHEDULE AND VACATING JULY 25,  
2017 SCHEDULING CONFERENCE

(ECF No. 25)

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14 On December 20, 2016, Plaintiff filed this action under the Administrative Procedure  
15 Act. (ECF No. 1.) On April 24, 2017, the Court continued the scheduling conference in this  
16 matter to July 25, 2017. (ECF No. 16.) On June 29, 2017, the parties filed a stipulation  
17 establishing a briefing schedule. (ECF No. 25.) In the stipulation, the parties request that the  
18 Court establish the requested briefing schedule and cancel the July 25, 2017 scheduling  
19 conference.

20 Based upon the stipulation, the Court will enter the requested briefing schedule and  
21 vacate the July 25, 2017 scheduling conference. The Court notes that the parties have not  
22 consented to or declined magistrate judge jurisdiction in this matter. Therefore, if the parties  
23 wish to consent to magistrate judge jurisdiction, they shall file consent forms on or before July  
24 14, 2017. If the parties do not file consent forms on or before July 14, 2017, this action will  
25 proceed based upon the current judicial assignment. The parties are advised that due to the  
26 criminal case workload of the district judges, decisions on civil matters may be delayed.

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28 <sup>1</sup> Rex Tillerson, Secretary of State, is automatically substituted in for John Kerry, former Secretary of State, as a party in accordance with Federal Rule of Civil Procedure 25(d).

1 In scheduling motions, counsel shall comply with **Fed. R. Civ. P 56 and Local Rules**  
2 **230 and 260**. Prior to filing a motion for summary judgment or motion for summary  
3 adjudication, the parties are ORDERED to meet, in person or by telephone, and confer to discuss  
4 the issues to be raised in the motion.

5 The purpose of the meeting shall be to: 1) avoid filing motions for summary judgment  
6 where a question of fact exists; 2) determine whether the respondent agrees that the motion has  
7 merit in whole or in part; 3) discuss whether issues can be resolved without the necessity of  
8 briefing; 4) narrow the issues for review by the court; 5) explore the possibility of settlement  
9 before the parties incur the expense of briefing a summary judgment motion; and 6) to arrive at a  
10 Joint Statement of Undisputed Facts.

11 The moving party shall initiate the meeting and provide a draft of the Joint Statement of  
12 Undisputed Facts. **In addition to the requirements of Local Rule 260, the moving party shall**  
13 **file a Joint Statement of Undisputed Facts.**

14 In the Notice of Motion, the moving party shall certify that the parties have met and  
15 conferred as ordered above or set forth a statement of good cause for the failure to meet and  
16 confer.

17 All counsel are expected to familiarize themselves with the Federal Rules of Civil  
18 Procedure and the Local Rules of the Eastern District of California, and to keep abreast of any  
19 amendments thereto. The Court must insist upon compliance with these Rules if it is to  
20 efficiently handle its increasing case load and sanctions will be imposed for failure to follow the  
21 Rules as provided in both the Federal Rules of Civil Procedure and the Local Rules for the  
22 Eastern District of California.

23 Additional requirements and more detailed procedures for courtroom practice before  
24 United States Magistrate Judge Stanley A. Boone can be found at the United States District  
25 Court for the Eastern District of California's website ([www.caed.uscourts.gov](http://www.caed.uscourts.gov)) under Judges;  
26 United States Magistrate Judge Stanley A. Boone (SAB). In the area entitled "Case Management  
27 Procedures," there is a link to "Standard Information." All parties and counsel shall comply with  
28 the guidelines set forth therein.

1           Stipulations extending the deadlines contained herein will not be considered unless  
2 they are accompanied by affidavits or declarations, and where appropriate attached  
3 exhibits, which establish good cause for granting the relief requested. The parties are  
4 advised that due to the impacted nature of civil cases on the district judges in the Eastern  
5 District of California, Fresno Division, that stipulations to continue set dates are disfavored  
6 and will not be granted absent good cause.

7           Lastly, should counsel or a party appearing pro se fail to comply with the directions  
8 as set forth above, an ex parte hearing may be held and contempt sanctions, including  
9 monetary sanctions, dismissal, default, or other appropriate judgment, may be imposed  
10 and/or ordered.

11           Accordingly, IT IS HEREBY ORDERED that:

- 12           1. The deadline for the parties to file motions is **August 16, 2017**;
- 13           2. The deadline for combined cross-motions and oppositions is **September 13,**  
14           **2017**;
- 15           3. The deadline for reply briefs is **October 4, 2017**;
- 16           4. The July 25, 2017 scheduling conference is vacated; and
- 17           5. If the parties wish to consent to the jurisdiction of a magistrate judge, they shall  
18           file consent forms on or before **July 14, 2017**. If the parties do not file consent  
19           forms on or before July 14, 2017, this action will proceed under the current  
20           judicial assignment.

21 IT IS SO ORDERED.

22 Dated: June 30, 2017

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25 UNITED STATES MAGISTRATE JUDGE  
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