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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RICARDO TORRES,

Plaintiff,

v.

LA FAVORITA BROADCASTING, INC. et
al.,

Defendants.

Case No. 1:17-cv-00888-LJO-SAB

ORDER SETTING TELEPHONIC STATUS
CONFERENCE FOR MAY 28, 2019

The complaint in this action was filed on July 6, 2017. (ECF No. 1.) On January 18, 2018, this action was stayed at the stipulation of the parties so the claims could be submitted to alternative dispute resolution. (ECF No. 28, 29.) The parties have submitted joint status reports on the status of the arbitration. In the most recent report, filed May 17, 2019, the parties state that they continue to be embroiled in a discovery dispute over bank statements and, due to this dispute, they agree that the action is not ready for a formal ADR hearing.

The Court notes that has been almost eighteen months since this matter was stayed for the parties to engage in arbitration. In April 2018, the parties indicated they had been unable to agree to an arbitrator or a basic framework for proceeding with arbitration, but were confident they could resolve their arbitration issues within thirty days and there there was an issue with Defendant proving financial records. (ECF No. 31.) In November 2018, the parties indicated

1 have been “embroiled” in the discovery dispute and at that time the Court expressed concern that
2 judicial intervention should be considered to move this case forward. Additionally, in the
3 November 2018 report, the parties also expressed concern about the arbitrator that they had
4 agreed upon. Now, six months later, the matter appears no closer to arbitration nor have the
5 parties resolved the discovery issues or indicated that an arbitrator has been agreed upon.

6 The Eastern District of California has one of the heaviest caseloads in the nation. The
7 congestion in this Court will only become worse as the Chief Judge is preparing to retire and it is
8 anticipated that the Fresno Division will have only one fulltime district judge after the beginning
9 of the year. The Court cannot condone allowing an action to remain inactive on the docket
10 indefinitely. The Court shall require the parties to address firm dates by which the arbitration
11 shall commence in order to continue the stay of this action.

12 Accordingly, IT IS HEREBY ORDERED that a telephonic status conference is set May
13 28, 2019, at 9:30 a.m. to address the status of the arbitration and whether this action should
14 remain stayed. The parties shall contact Courtroom Deputy Mamie Hernandez at (559) 499-
15 5672 to obtain the telephone number and passcode to appear telephonically at the conference.

16
17 IT IS SO ORDERED.

18 Dated: May 20, 2019



UNITED STATES MAGISTRATE JUDGE