3		
4		
5		
6		
7	UNITED STATES DISTRICT COURT	
8	EASTERN DISTRICT OF CALIFORNIA	
9		
10	BRENDA MARKHAM,	Case No.: 1:18-cv-00303 LJO JLT
11	Plaintiff,	AMENDED SCHEDULING ORDER
12	v.)	(Fed. R. Civ. P. 16)
13	TEHACHAPI UNIFIED SCHOOL DISTRICT,)	Merits Briefing:
14	Defendant.	Opening Brief: 9/20/2018 Defendant's response: 12/7/2018
15)	Reply brief: 2/8/2019 Hearing: 4/2/2019, 8:30 a.m., Courtroom 4
16		11caring. 4/2/2017, 0.30 a.m., Courtroom 4
17	I. <u>Date of Scheduling Conference</u>	
18	August 16, 2018.	
19	II. Appearances of Counsel	
20	Andrea Marcus appeared on behalf of Plaintiffs.	
21	Kyle Holmes appeared on behalf of Defendant.	
22	III. Administrative Record	
23	The parties agree the administrative record need not be lodged. Rather, the parties will file the	
24	pertinent excerpts UNDER SEAL ¹ with their merits briefs. The parties agree that they may cite to	
25	these excerpts as they would if the entire record had been lodged and agree the excerpts used are	
26		
27	The Court finds that reduction of the arkibits was	uld be imprecised due to the nature of the records and the
28	¹ The Court finds that redaction of the exhibits would be impractical due to the nature of the records and the extent of the needed redactions. (Fed.R.Civ.P. 26(c).) However, the records contain information contained in the record is highly sensitive and is deserving of confidentiality. Thus, the Court finds a compelling need for the information contained in the record to remain private.	

authentic.

IV. Merits Briefing

Plaintiff's opening brief related to fees **SHALL** be filed no later than **September 20, 2018,** and Defendant's opposing brief **SHALL** be filed no later than **December 7, 2018**. Plaintiff's reply, if any, **SHALL** be filed no later than **February 8, 2019.** When filing the opening brief, the plaintiff **SHALL** set the matter for hearing on **April 2, 2019 at 8:30 a.m.** before the Honorable Lawrence J. O'Neill, United States District Court Judge, in Courtroom 4.

In the event the briefs cannot be written to maintain confidentiality of the information contained in the administrative record, counsel may seek to have the briefs filed under seal according to the procedures in Local Rule 141.

V. <u>Discovery</u>

Based upon their agreement, the parties are excused from making the initial disclosures required by Fed. R. Civ. P. 26(a)(1).

The parties may engage in discovery related to the lodestar. The defendant may conduct discovery of the evidence relied upon in the opening brief and the plaintiff may do the same as to any evidence relied upon in the opposition.

VI. Compliance with Federal Procedure

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

VII. Effect of this Order

The foregoing order represents the best estimate of the court and counsel as to the agenda most suitable to dispose of this case. The trial date reserved is specifically reserved for this case. If the parties determine at any time that the schedule outlined in this order cannot be met, counsel are ordered to notify the court immediately of that fact so that adjustments may be made, either by stipulation or by subsequent status conference.

The dates set in this order are firm and will not be modified absent a showing of good cause even if the request to modify is made by stipulation. Stipulations extending the deadlines contained herein will not be considered unless they are accompanied by affidavits or declarations, and where appropriate attached exhibits, which establish good cause for granting the relief requested.

Failure to comply with this order may result in the imposition of sanctions.

IT IS SO ORDERED.

9 Dated: **August 16, 2018**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE