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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
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11 MYOHO MYSTIC WINSTON, JR.,

12 Plaintiff,

13 v.

14 J. CARDENAS,

15 Defendant.  
16

Case No. 1:18-cv-00857-LJO-EPG (PC)

ORDER FOLLOWING INITIAL  
SCHEDULING CONFERENCE

17 Myoho Winston, Jr. (“Plaintiff”), is a state prisoner proceeding *pro se* and *in forma*  
18 *pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. On January 30, 2019, the  
19 Court held an Initial Scheduling Conference (“Conference”). Plaintiff telephonically appeared  
20 on his own behalf. Counsel Brian Chan and Christopher Becker telephonically appeared on  
21 behalf of Defendant.

22 During the Conference, and with the benefit of the scheduling conference statements  
23 provided by the parties, the Court and the parties discussed relevant documents in this case and  
24 their possible locations.

25 In an effort to secure the just, speedy, and inexpensive disposition of this  
26 action,<sup>1</sup> and after consideration of Federal Rule of Civil Procedure 26(b)(1),<sup>2</sup> IT IS ORDERED<sup>3</sup>

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28 <sup>1</sup> See, e.g., *United States v. W.R. Grace*, 526 F.3d 499, 508–09 (9th Cir. 2008) (“We begin with the principle that the district court is charged with effectuating the speedy and orderly administration of justice. There

1 that, within thirty days from the date of service of this order, Defendant shall submit the  
2 documents he withheld from his initial disclosures under the official information privilege to  
3 the Court for *in camera* review.

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5 IT IS SO ORDERED.

6 Dated: February 11, 2019

7 /s/ Eric P. Gray  
8 UNITED STATES MAGISTRATE JUDGE

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17 is universal acceptance in the federal courts that, in carrying out this mandate, a district court has the authority to  
18 enter pretrial case management and discovery orders designed to ensure that the relevant issues to be tried are  
19 identified, that the parties have an opportunity to engage in appropriate discovery and that the parties are  
20 adequately and timely prepared so that the trial can proceed efficiently and intelligibly.”).

21 <sup>2</sup> Federal Rule of Civil Procedure 26 provides that “[p]arties may obtain discovery regarding any  
22 nonprivileged matter that is relevant to any party's claim or defense and proportional to the needs of the case,  
23 considering the importance of the issues at stake in the action, the amount in controversy, the parties’ relative  
24 access to relevant information, the parties’ resources, the importance of the discovery in resolving the issues, and  
25 whether the burden or expense of the proposed discovery outweighs its likely benefit.” Fed. R. Civ. P. 26(b)(1).  
26 “Information within this scope of discovery need not be admissible in evidence to be discoverable.” *Ibid*.

27 <sup>3</sup> Pursuant to Federal Rule of Civil Procedure 16, “[a]t any pretrial conference, the court may consider  
28 and take appropriate action on the following matters: . . . controlling and scheduling discovery, including orders  
affecting disclosures and discovery under Rule 26 and Rules 29 through 37” and “facilitating in other ways the  
just, speedy, and inexpensive disposition of the action.” Fed. R. Civ. P. 16(c)(2)(F). *See also Little v. City of  
Seattle*, 863 F.2d 681, 685 (9th Cir. 1988) (“The district court has wide discretion in controlling discovery.”).  
Federal Rule of Civil Procedure 16 vests the district court with early control over cases “toward a process of  
judicial management that embraces the entire pretrial phase, especially motions and discovery.” *In re Arizona*,  
528 F.3d 652, 655 (9th Cir. 2008) (affirming district court’s requiring that prison officials prepare a *Martinez*  
report to give detailed factual information involving a prisoner’s suit under 42 U.S.C. § 1983 and stating “district  
courts have wide latitude in controlling discovery.”). *See also* Advisory Committee Notes to 1993 Amendment to  
Federal Rules of Civil Procedure regarding Rule 26(a) (“The enumeration in Rule 26(a) of items to be disclosed  
does not prevent a court from requiring by order or local rule that the parties disclosed additional information  
without a discovery request.”).