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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ALEJANDRO OCHOA,

Plaintiff,

v.

COUNTY OF KERN, et al.,

Defendants.

Case No.: 1:18-CV-01599 NONE JLT

ORDER DISCHARGING ORDER TO SHOW
CAUSE; ORDER AMENDING THE CASE
SCHEDULE

The Court recently issued orders to show cause to the plaintiff and his counsel of record for their repeated failures to comply with the Court’s orders. (Doc. 28; Doc. 31) Ms. Gyongyos has not responded. Mr. Dunn has responded and though the response was unsatisfactory—both in tone and content—the Court was most concerned about the statement made that the parties could not sincerely discuss resolution of the matter given the status of the aborted discovery. Thus, the Court held an informal telephonic conference (Doc. 33, 35). After conferring with counsel, the Court and counsel developed a workable amended the case schedule. Therefore, the Court **ORDERS:**

1. The orders to show cause (Docs. 28, 31) are **DISCHARGED**;

2. The case schedule is amended as follows:

a. The depositions of the defendant deputies **SHALL** be completed no later than November 13, 2020;

b. The parties **SHALL** disclose experts no later than December 4, 2020 and

1 any rebuttal experts **no later than January 8, 2021**. The parties **SHALL** complete expert
2 discovery **no later than February 12, 2021**. The plaintiff has agreed he will submit to an
3 independent medical examination at the request of the defense. The defense may serve a demand
4 for the examination before the close of expert discovery. However, if the defense decides to offer
5 the examiner's opinion at trial, the examiner must be disclosed. The defense may disclose the
6 examiner either in the initial expert disclosure due on December 4, 2020 or in the rebuttal expert
7 disclosure due on February 12, 2021. The report of the independent medical examination **SHALL**
8 be provided immediately after it is completed, and the defense **SHALL NOT** await the disclosure
9 to provide it to the plaintiff;

10 c. The settlement conference is set on **April 16, 2021** at 9:00 a.m. Counsel
11 **SHALL** exchange settlement offers and lodge confidential settlement conference statements, as
12 required by the scheduling order (Doc. 11 at 5-6);

13 d. The pretrial conference is set on **June 7, 2021** at 3:30 p.m.

14 3. Because the plaintiff has agreed to dismiss the Monell claim. Defense counsel
15 **SHALL** provide via email a stipulated dismissal of this claim to plaintiff's counsel **no later than**
16 **October 16, 2020**. The stipulated dismissal of this claim **SHALL** be filed **no later than October**
17 **23, 2020**.

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19 IT IS SO ORDERED.

20 Dated: **October 15, 2020**

21 **/s/ Jennifer L. Thurston**
22 UNITED STATES MAGISTRATE JUDGE
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