



1 They shall address all of the following issues:

- 2 i. A brief summary of the parties' claims and/or defenses.
- 3 ii. The name and, if known, the address and telephone number of each witness,  
4 besides expert witnesses, the party may call at trial.
- 5 iii. A description by category and location of all documents the party may use at  
6 trial.
- 7 iv. Whether any third parties, other than Plaintiff's institution of confinement, are  
8 likely to have relevant documents.
- 9 v. Whether the party intends to use expert witnesses.
- 10 vi. If a settlement conference has not occurred, when the party will be prepared to  
11 participate in a settlement conference.

12 Defendant(s)' Scheduling and Discovery Statement shall also address all of the following  
13 issues:

- 14 vii. Whether a third party subpoena directed at Plaintiff's institution of  
15 confinement will be necessary to obtain relevant documents.
- 16 viii. Whether Defendant(s) intend to challenge the issue of exhaustion and, if so,  
17 when Defendant(s) will be ready to file a motion for summary judgment  
18 regarding the issue of exhaustion.
- 19 ix. Whether witness statements and/or evidence were generated from  
20 investigation(s) related to the event(s) at issue in the complaint, such as an  
21 investigation stemming from the processing of Plaintiff's grievance(s).<sup>2</sup>
- 22 x. Whether there are any video recordings or photographs related to the  
23 incident(s) at issue in the complaint, including video recordings and  
24 photographs of Plaintiff taken following the incident(s).

25 Additionally, any party may also include any information that the party believes would

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26 <sup>2</sup> See *Woodford v. Ngo*, 548 U.S. 81, 94-95 (2006) (“[P]roper exhaustion improves the quality of those  
27 prisoner suits that are eventually filed because proper exhaustion often results in the creation of an administrative  
28 record that is helpful to the court. When a grievance is filed shortly after the event giving rise to the grievance,  
witnesses can be identified and questioned while memories are still fresh, and evidence can be gathered and  
preserved.”).

1 assist in discovery and/or scheduling the case.

2 Finally, the Court notes that on June 2, 2022, Plaintiff filed a notice of change of address,  
3 stating that his address will change on July 6, 2022. (ECF No. 33). However, Plaintiff has not  
4 made any filings since. Accordingly, the Clerk of Court is directed to send Plaintiff a copy of this  
5 order and the order adopting findings and recommendations (ECF No. 35) to Plaintiff at 3995  
6 Boston Ave., San Diego, CA 92113. Additionally, Plaintiff is ordered to file a notice of change  
7 of address that lists his current address within thirty dates from the date of service of this order.

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9 IT IS SO ORDERED.

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Dated: September 15, 2022

/s/ Eric P. Gray  
UNITED STATES MAGISTRATE JUDGE

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