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6	UNITED STATES DISTRICT COURT	
7	EASTERN DISTRICT OF CALIFORNIA	
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9	TRACY JONES,	Case No. 1:21-cv-01093-ADA-EPG (PC)
10	Plaintiff,	ORDER REQUIRING STATEMENTS FROM PARTIES REGARDING
11		SCHEDULE AND DISCOVERY
12	v.	THIRTY (30) DAY DEADLINE
13		ORDER DIRECTING CLERK TO SEND A COPY OF THIS ORDER AND THE
14	STUART SHERMAN, et al.,	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS (ECF NO. 35) TO PLAINTIFF AT 3995 BOSTON AVE., SAN DIEGO, CA 92113
15	Defendant(s).	
16		ORDER REQUIRING PLAINTIFF TO
17		FILE NOTICE OF CHANGE OF ADDRESS WITHIN THIRTY (30) DAYS
18		(00) 21116
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20	The Court has screened Plaintiff's complaint and has ordered the case to proceed. Before	
21	scheduling this case, the Court will require each party to submit a statement regarding the	
22	schedule and discovery matters. <sup>1</sup>	
23	The statements regarding the schedule and discovery shall be filed within thirty days from	
24	the date of service of this order. They should be filed with the Court, titled "SCHEDULING	
25	AND DISCOVERY STATEMENT," and include the name of the party filing the statement.	
26	<sup>1</sup> The Court previously issued an order requiring each party to submit a statement regarding the schedule and discovery matters. (ECF No. 22). However, the Court vacated the requirement, and ordered that, "[i]f necessary, the Court will require the parties to file the statements after the adjudication of the pending motion to dismiss (ECF No. 23)." (ECF No. 25, p. 2). The motion to dismiss has now been resolved, and this case is proceeding. (ECF No. 35). Accordingly, the Court is now requiring the parties to file the statements.	
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1 They shall address all of the following issues: 2 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 Whether the party intends to use expert witnesses. v. 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 confinement will be necessary to obtain relevant documents. 15 16 viii. Whether Defendant(s) intend to challenge the issue of exhaustion and, if so, when Defendant(s) will be ready to file a motion for summary judgment 17 regarding the issue of exhaustion. 18 Whether witness statements and/or evidence were generated from 19 ix. investigation(s) related to the event(s) at issue in the complaint, such as an 20 21 investigation stemming from the processing of Plaintiff's grievance(s).<sup>2</sup> 22 Whether there are any video recordings or photographs related to the х. incident(s) at issue in the complaint, including video recordings and 23 photographs of Plaintiff taken following the incident(s). 24 Additionally, any party may also include any information that the party believes would 25 26 27

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<sup>&</sup>lt;sup>2</sup> See Woodford v. Ngo, 548 U.S. 81, 94-95 (2006) ("[P]roper exhaustion improves the quality of those prisoner suits that are eventually filed because proper exhaustion often results in the creation of an administrative 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.").

assist in discovery and/or scheduling the case.

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

IT IS SO ORDERED.

Dated: **September 15, 2022** 

UNITED STATES MAGISTRATE JUDGE