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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

GREGORY ANDREW HALL,

No. CIV S-05-1556-JAM-CMK-P

Plaintiff,

vs.

ORDER

C. PLILER, et al.,

Defendants.

_____ /

Plaintiff, proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. The court has granted defendants’ motion for summary judgment in part (Doc. 84). This action proceeds on plaintiff’s Eighth Amendment claims against defendants Ranzany and Ugalino and plaintiff’s due process claims against defendants Ranzany, Ugalino, Lt. Johnson, Connor, Gold, and Goughnour.

Pursuant to the current scheduling order (Doc. 55), discovery in this case is closed and the time for dispositive motions has passed. This matter should now be ready to be set for trial. The parties shall therefore each submit to the court and serve by mail on all other parties a report on the status of this case. The report must address the following:

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- 1 1. Whether this matter is ready for trial and, if not, why not;
- 2 2. A narrative statement of the facts that will be offered by oral or
- 3 documentary evidence at trial;
- 4 3. A list of all exhibits to be offered into evidence at the trial of the case;
- 5 4. A list of the names and addresses of all witnesses the party intends to call;
- 6 5. A summary of the anticipated testimony of any incarcerated witnesses;
- 7 6. The time estimated for trial;
- 8 7. Whether either party still requests trial by jury;
- 9 8. Whether any defendant remain unserved, and if so, the parties shall
- 10 address whether such defendant should be dismissed under Federal Rule of Civil Procedure
- 11 4(m); and
- 12 9. Any other matter, not covered above, which the party desires to call to the
- 13 attention of the court.

14 The parties are warned that failure to file a status report which addresses the
15 issues set forth above may result in the imposition of appropriate sanctions, including dismissal
16 of the action or preclusion of issues or witnesses. See Local Rule 11-110.

17 The parties are informed that they may, if all consent, have this case tried by a
18 United States Magistrate Judge while preserving their right to appeal to the United States Court
19 of Appeals. An appropriate form for consent to trial by a magistrate judge is attached. Any party
20 choosing to consent may complete the form and return it to the clerk of this court. Neither the
21 magistrate judge nor the district judge handling the case will be notified of the filing of a consent
22 form unless all parties to the action have consented.

23 Accordingly, IT IS HEREBY ORDERED that:

- 24 1. Plaintiff's status report shall be filed and served within 30 days from the
- 25 date of service of this order;

26 ///

1 2. Defendants' status report shall be filed within 30 days after service of
2 plaintiff's status report; and

3 3. The Clerk of the Court is directed to mail to all parties the form "Consent
4 to Proceed Before United States Magistrate Judge," together with the instant order.

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6 DATED: November 4, 2009

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8 **CRAIG M. KELLISON**
9 UNITED STATES MAGISTRATE JUDGE
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