

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

MELVIN DE VAN DANIEL,

Plaintiff,

No. 2:08-cv-0682 WBS JFM PS

VS.

B. PADILLA, et al.,

Defendants.

ORDER

A status conference was held in this matter on April 16, 2009 before the undersigned. Plaintiff appeared in propria persona. Shelley L. Green, Assistant City Attorney, appeared for defendants. Upon consideration of the status reports on file in this action, discussion of plaintiff and counsel and good cause appearing therefor, THE COURT ORDERS AS FOLLOWS:

Defendants' counsel noted that plaintiff advised her he is pursuing a related case that has not yet been served on defendants named in the related case. A review of court records reflects that the instant action was related to Case No. 2:08-cv-2920 WBS JFM PS by order issued January 22, 2009. On April 16, 2009, plaintiff was directed to provide three endorsed

1 filed copies of the March 16, 2009 amended complaint within twenty days so that service of
2 process could be accomplished. (Id., Docket No. 12.)

3 The instant action alleges a violation of plaintiff's civil rights when defendants B.
4 Padilla and Robert Chambers allegedly seized plaintiff's driver's license on February 1, 2008 and
5 refused to return it to him. In the related action, plaintiff alleges defendants Oaks, Molthen and
6 Garcia violated his constitutional rights by using excessive force on March 6, 2008 when he went
7 to City Hall and attempted to retrieve his driver's license.

8 Although the two cases cited above are related, each presses allegations
9 concerning events discrete from each other and involve different defendants. Accordingly, the
10 court will proceed to schedule this action.

11 1. Initial disclosures under Federal Rule of Civil Procedure 26(a)(1) shall be
12 made within thirty days from the date of this order.

13 2. Discovery, including the hearing of discovery motions, shall be completed by
14 November 19, 2009.

15 3. Dispositive motions, other than discovery motions, shall be noticed to be
16 heard by February 25, 2010.

17 4. Plaintiff shall designate expert witnesses on or before April 1, 2010.
18 Defendants shall designate expert witnesses on or before May 1, 2010.

19 5. Expert discovery, including the hearing of any expert discovery motions, shall
20 be completed by July 8, 2010.

21 6. The pretrial conference is set for September 7, 2010 at 2:00 p.m. before the
22 Honorable William B. Shubb in Courtroom #5. Pretrial statements shall be filed in accordance
23 with Local Rule 16-281.

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5. Court trial of this matter is set for November 16, 2010 at 9:00 a.m. before the Honorable William B. Shubb in Courtroom #5. The parties shall file trial briefs in accordance with Local Rule 16-285.

John F. Ward
UNITED STATES MAGISTRATE JUDGE

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