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

MACARIO BELEN DAGDAGAN,)	
)	2:08-cv-00922-GEB-KJN
Plaintiff,)	
)	
v.)	<u>SUPPLEMENTAL STATUS (PRETRIAL</u>
)	<u>SCHEDULING) ORDER</u>
CITY OF VALLEJO, VALLEJO OFFICER)	
JOHN BOYD (ID# 589), VALLEJO)	
OFFICER J. WENTZ (ID# 524),)	
VALLEJO OFFICER JAMES MELVILLE,)	
)	
Defendants.)	
_____)	

The status (pretrial scheduling) conference scheduled for hearing on August 29, 2011, is vacated since the parties' Joint Status Report filed on August 15, 2011 ("JSR") indicates the following Order should issue.

DISCOVERY

The discovery referenced in the JSR shall be completed by February 29, 2012. In this context, "completed" means that all discovery shall have been conducted so that all depositions have been taken and any disputes relative to discovery shall have been resolved by appropriate orders, if necessary, and, where discovery has been ordered, the order has been complied with or, alternatively, the time allowed for such compliance shall have expired.

1 of the parties to judgment as a matter of law." Portsmouth Square v.
2 S'holders Protective Comm., 770 F.2d 866, 869 (9th Cir. 1985).

3 The parties shall file a **JOINT** pretrial statement no later
4 than seven (7) calendar days prior to the final pretrial conference. The
5 joint pretrial statement shall specify the issues for trial, including
6 a description of each theory of liability and affirmative defense, and
7 shall estimate the length of the trial.² The Court uses the parties'
8 joint pretrial statement to prepare its final pretrial order and could
9 issue the final pretrial order without holding the scheduled final
10 pretrial conference. See Mizwicki v. Helwig, 196 F.3d 828, 833 (7th Cir.
11 1999) ("There is no requirement that the court hold a pretrial
12 conference.").

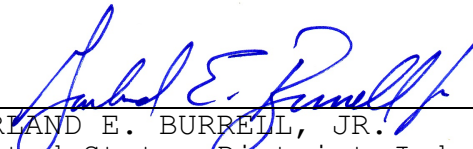
13 If possible, at the time of filing the joint pretrial
14 statement counsel shall also email it in a format compatible with
15 WordPerfect to: geborders@caed.uscourts.gov.

16 TRIAL SETTING

17 Trial shall commence at 9:00 a.m. on June 19, 2012.

18 IT IS SO ORDERED.

19 Dated: August 26, 2011

20
21 
22 _____
23 GARLAND E. BURRELL, JR.
24 United States District Judge
25
26

27 _____
28 ² If a trial by jury has been preserved, the joint pretrial
statement shall also state how much time each party desires for voir
dire, opening statements, and closing arguments.