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7 UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 JEFF AIDNIK,) 2:08-CV-02583-HDM (RAM)
10 Plaintiff,)
11 vs.) SCHEDULING ORDER FOR
12 CALIFORNIA MEDICAL FACILITY,) CIVIL RIGHTS ACTIONS FILED
13 et al.,) BY INCARCERATED PRO SE
14 Defendants.) PLAINTIFFS

15 Pursuant to Federal Rules of Civil Procedure (Fed. R. Civ. P.) 16(b) and Local Rule (LR)
16 16-1 this Scheduling Order shall be filed and served by the Clerk upon the parties or their counsel,
17 if there is counsel of record, when the first answer is filed in this action. When the term “counsel”
18 is used in this Scheduling Order, it shall include any and all parties appearing pro se.

19 IT IS HEREBY ORDERED:

20 1. Any and all pleadings that may be brought under Fed. R. Civ. P. 13 & 14, or joining
21 additional parties under Fed. R. Civ. P. 19 & 20, shall be filed within sixty (60) days from the date
22 of this Order. Any party causing additional parties to be joined or brought into this action shall
23 contemporaneously therewith cause a copy of this Order to be served upon the new party or
24 parties.

25 2. Amendments to pleadings as provided for under Fed. R. Civ. P. 15, if the same are
26 allowed without leave of Court, or motions for leave to amend, shall comply with LR 15-1 and
27 shall be filed and served within sixty (60) days from the date of this Order.

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1 3. Any discovery motions shall be filed and served no later than one hundred five
2 (105) days from the date of this Order.

3 4. Motions for summary judgment shall comply with the requirements of LR 56-1 and
4 shall be filed and served no later than thirty (30) days after the close of discovery.

5 5. Any motion filed beyond the time limit fixed by this Scheduling Order shall be
6 stricken, unless the Court grants an exception for good cause shown.

7 6. DISCOVERY: Pursuant to LR 16-1(b), discovery in this action shall be completed
8 on or before ninety (90) days from the date of this Order.

9 7. EXTENSIONS OF DISCOVERY: Pursuant to LR 26-4, an extension of the
10 discovery deadline will not be allowed without a showing of good cause. All motions or
11 stipulations to extend discovery shall be received by the Court at least twenty (20) days prior to
12 the expiration of any extension thereof that may have been approved by the Court. The motion
13 or stipulation shall include:

14 (a) A statement specifying the discovery completed by the parties as of the date
15 of the motion or stipulation;

16 (b) A specific description of the discovery which remains to be completed;

17 (c) The reasons why such remaining discovery was not completed within the
18 time limit of the existing discovery deadline; and

19 (d) A proposed schedule for the completion of all remaining discovery.

20 8. In the event that the Federal Rules of Civil Procedure provide for any shorter time
21 periods for the filing of motions or pleadings, said shorter time limits shall apply notwithstanding
22 the time limits set forth in this Scheduling Order. Pursuant to the authority given to the Court
23 in Fed. R. Civ. P. 16(b), motions for summary judgment under Fed. R. Civ. P. 56, must be filed no
24 later than the time provided in paragraph 4 of this Order.

25 9. PRETRIAL: Pursuant to LR 16-3(a), the parties shall file a Joint Pretrial Order five
26 (5) days past the date for filing motions for summary judgment or all motions for summary
27 judgment are denied, whichever is later.
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1 10. Any party who desires an amendment to this Scheduling Order shall, within sixty
2 (60) days hereof, file and serve a statement of proposed amendments and the reasons therefor.
3 Each other party shall then have fifteen (15) days within which to file and serve a response
4 thereto. After expiration of the sixty-day period, any amendment of this Scheduling Order shall
5 be granted only upon motion and good cause shown.

6 11. In all cases where a party or counsel is required to effect service hereunder, a
7 certificate of such service shall be filed forthwith with the Clerk of the Court.

8 THE DATE of the Clerk's file mark shall constitute the date of this Order.

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ROBERT A. McQUAID, JR.
UNITED STATES MAGISTRATE JUDGE