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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY VINCENT PASSER,
Plaintiff,
v.
DR. STEEVERS, et al.,
Defendants.

No. 2:08-cv-2792 MCE KJN P

ORDER AND STAY OF EXPERT
DISCOVERY AND PRETRIAL MOTIONS
DEADLINES

Plaintiff is a state prisoner proceeding through counsel. The undersigned has reviewed the record in this action and determined that discovery should be phased such that percipient witness depositions and other party discovery should occur prior to the parties engaging in discovery concerning expert witnesses, including the depositions of expert witnesses. Phasing discovery in this case is consistent with Rule 1 of the Federal Rules of Civil Procedure, which states that the rules “should be construed and administered to secure the just, speedy, and inexpensive determination of every action and proceeding.” Fed. R. Civ. P. 1. Moreover, as set forth in the court’s prior order, “[t]he district court is given broad discretion in supervising the pretrial phase of litigation.” Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 607 (9th Cir. 1992) (citation and internal quotation marks omitted). In light of this phasing, the expert deposition deadline of September 30, 2014, and the pretrial motions deadline of October 10, 2014, are stayed.

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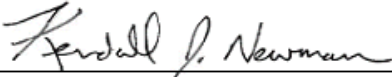
1 Once percipient witness and party discovery is completed, this case shall be scheduled for
2 a mandatory settlement conference with a randomly selected judge.¹ Within ten days from
3 completion of such discovery, all counsel for the parties shall contact Sujean Park, ADR and Pro
4 Bono Director, (916) 930-4278, to arrange for the scheduling of a settlement conference before a
5 randomly-selected settlement judge. Absent further leave of court, the mandatory settlement
6 conference shall be scheduled within two months from the date such discovery is completed.

7 Expert discovery is stayed pending completion of the mandatory settlement conference.
8 Further scheduling order will issue, as appropriate, following the settlement conference.

9 Good cause appearing, IT IS HEREBY ORDERED that:

- 10 1. Discovery shall be phased as set forth above;
- 11 2. The September 30, 2014 expert deposition deadline and the October 10, 2014 pretrial
12 motions deadline are stayed pending further order of the court;
- 13 3. Within ten days from the completion of percipient witness and party discovery, counsel
14 for both parties shall contact Sujean Park, ADR and Pro Bono Director, (916) 930-4278, to
15 schedule a mandatory settlement conference with a randomly selected settlement judge. Absent
16 further leave of court, the mandatory settlement conference shall be scheduled within two months
17 from the date discovery is completed; and
- 18 4. The Clerk of the Court shall serve a copy of this order on Sujean Park.

19 DATED: September 24, 2014.

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22 KENDALL J. NEWMAN
23 UNITED STATES MAGISTRATE JUDGE

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27 ¹ Pursuant to Local Rule 270(b) of the Eastern District of California, the parties may
28 affirmatively request that the undersigned serve as the settlement judge, but must waive any claim
of disqualification to the undersigned trying the case thereafter.