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8 IN THE UNITED STATES DISTRICT COURT

## 9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 MERCURINO FERRARO, an  
individual and ESTATE OF  
11 SALVATORE FERRARO, By  
and through his Administrator,  
12 MERCURINO FERRARO;  
MERCURINO FERRARO as  
13 Guardian Ad-Litem for SAVANAH  
FERRARO, a minor,  
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15 Plaintiffs,

No. 2:09-cv-1721 GEB JFM (PC)

16 vs.

17 STATE OF CALIFORNIA, et al.,

18 Defendants.

ORDER SETTING STATUS CONFERENCE19 \_\_\_\_\_/  
20 Plaintiffs are proceeding through counsel with a civil rights action pursuant to 42  
21 U.S.C. § 1983. This action has been assigned to Judge Garland E. Burrell, Jr., and has been  
22 referred to the undersigned for all purposes described in Local Rule 72-302(c)(21). On June 22,  
23 2009, counsel for defendants filed a notice of removal, and stated that defendants were personally  
24 served by substituted service on May 29, 2009.25 Pursuant to the provisions of Federal Rule of Civil Procedure 16 and Local Rule  
26 16-240, IT IS HEREBY ORDERED that:

1           1. A Status (Pretrial Scheduling) Conference is set for September 10, 2009, at  
2 11:00 a.m. in courtroom # 26 before the undersigned.

3           2. All parties shall appear by counsel or in person if acting without counsel.

4           3. The parties shall submit to the court and serve by mail on all other parties, no  
5 later than seven days before the Status (Pretrial Scheduling) Conference, a status report  
6 addressing the following matters:

7           a. Service of process;

8           b. Possible joinder of additional parties;

9           c. Any expected or desired amendment of the pleadings;

10          d. Jurisdiction and venue;

11          e. Anticipated motions and the scheduling thereof;

12          f. Anticipated discovery and the scheduling thereof;

13          g. Future proceedings, including setting appropriate cutoff dates for discovery  
14 and law and motion and the scheduling of a pretrial conference and trial;

15          h. Modification of standard pretrial procedures specified by the rules due to the  
16 relative simplicity or complexity of the action or proceedings;

17          i. Whether the case is related to any other case, including matters in  
18 bankruptcy;

19          j. Whether the counsel will stipulate to the magistrate judge assigned to this  
20 matter acting as settlement judge and waiving any disqualifications by virtue of his so acting, or  
21 whether they prefer to have a Settlement Conference before another judge;

22          k. Any other matters that may add to the just and expeditious disposition of this  
23 matter.

24           4. Plaintiff and counsel are reminded of their continuing duty to notify chambers  
25 immediately of any settlement or other disposition (see Local Rule 16-160). In addition, the  
26 parties are cautioned that Local Rule 11-110 provides that failure to comply with the Local Rules

1 “may be grounds for imposition of any and all sanctions authorized by statute or Rule or within  
2 the inherent power of the Court.”

3 DATED: July 7, 2009.

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6 UNITED STATES MAGISTRATE JUDGE

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