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

UNITED STATES OF AMERICA,

Plaintiff,

NO. CIV S-09-2445 KJM-EFB

v.

SIERRA PACIFIC INDUSTRIES; et al.,

ORDER

Defendants.

_____ /

Defendants have filed an ex parte application for leave to file separate pretrial statements, to which plaintiff objects. (ECF 475 & 476.) The court ordered parties to file a joint pretrial statement by May 31, 2012. Defendants contend plaintiff represented it would share its portion of the statement one week before it was due. (Underwood Decl. ¶ 2, ECF 475-2.) Emails from plaintiff’s counsel to defense counsel indicate that plaintiff intends to share its portion “early next week” (the week of May 28). (Thomas Decl., Ex. A, ECF 475-1.) Local Rule 281(a)(2) does not provide a deadline for counsels’ sharing of the statement, nor does it provide instructions as to how the statement should be created. Presumably the rule was drafted with the assumption that common sense and professionalism would guide counsel. With this in mind, the court hereby resets the deadline for filing the joint pretrial statement to June 7, 2012. Counsel shall meet and confer to ensure all parties have sufficient time, within this new deadline,

1 to contribute to the preparation of the joint pretrial statement. All other deadlines remain
2 unchanged.

3 IT IS SO ORDERED.

4 DATED: May 25, 2012.

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7 UNITED STATES DISTRICT JUDGE

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