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

TOMMIE EWING,

Plaintiff,

No. CIV 10cv0452-GEB-JFM (PS)

vs.

JOHN E. POTTER, *Postmaster
General, United States Postal Service,*

Defendant.

ORDER SETTING STATUS CONFERENCE

_____ /
This action has been assigned to Judge Garland E. Burrell and has been referred to the undersigned for all purposes described in Local Rule 302(c)(21).

The parties are informed that they may, if all consent, have this case tried by a United States Magistrate Judge while preserving their right to appeal to the Circuit Court of Appeal. An appropriate form for consent to trial by a magistrate judge is attached. Any party choosing to consent may complete the form and return it to the clerk of this court. Neither the magistrate judge nor the district judge handling the case will be notified of the filing of a consent form unless all parties to the action have consented.

Pursuant to the provisions of Federal Rule of Civil Procedure 16 and Local Rule 240, IT IS HEREBY ORDERED that:

1 1. A Status (Pretrial Scheduling) Conference is set for December 9, 2010, 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
23 this 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 160). In addition, the parties
26 are cautioned that pursuant to Local Rule 230(c), opposition to the granting of a motion must be

