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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CALIFORNIA SPORTFISHING
PROTECTION ALLIANCE, a non-
profit corporation,

Plaintiff,

v.

CHICO SCRAP METAL, INC., a
California corporation,
GEROGE W. SCOTT, SR.
REVOCABLE INTER VIVOS TRUST,
GEORGE SCOTT, SR., an
individual, and GEORGE SCOTT,
JR., an individual,

Defendants.

No. 2:10-cv-1207-GEB-AC

**ORDER DENYING DEFENDANTS' MOTION
TO BIFURCATE**

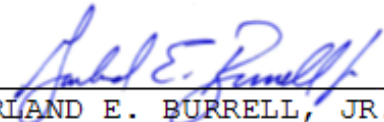
Defendants move under Federal Rule of Civil Procedure ("Rule") 42(b) for an order "bifurcate[ing] this matter into a liability phase and a remedy phase," arguing in a conclusory manner that "[t]he liability and remedy issues in this case are distinct and will have little, if any, overlapping evidence." (Defs.' Mot. 1:21, 5:15-16, ECF No. 131.) Plaintiff did not file an opposition, but Defendants state in their motion: "Plaintiff's counsel declined to consent to bifurcation." (Id. 2:9.)

Defendants have not sufficiently explained the separability of the liability and remedy issues in this water pollution case. Therefore, Defendants have not shown that

1 bifurcation under Rule 42(b) is warranted, and accordingly the
2 motion is DENIED.

3 Dated: June 4, 2014

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GARLAND E. BURRELL, JR.
Senior United States District Judge