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

EDNA MILLER, et al.,

Plaintiffs,

No. 2:10-cv-2850 GEB DAD PS

vs.

CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

ORDER SETTING STATUS
(PRETRIAL SCHEDULING)
CONFERENCE

_____/

Plaintiffs Edna Miller and David McGuire, proceeding pro se, commenced this civil rights action on October 21, 2010, by filing a complaint and paying the required filing fee. The action was initially assigned to District Judge Morrison C. England and Magistrate Judge Edmund F. Brennan. By order filed November 29, 2010, this case was related to case No. 2:10-cv-1699 GEB DAD PS and reassigned to District Judge Garland E. Burrell, Jr. and Magistrate Judge Dale A. Drozd. All dates previously set in the above-captioned action have been vacated, and the case is now assigned to the undersigned for all purposes encompassed by Local Rule 302(c)(21).

Good cause appearing, IT IS ORDERED that:

1. A Status (Pretrial Scheduling) Conference is set before the undersigned on **Friday, March 11, 2011, at 11:00 a.m.** in Courtroom No. 27;

1 2. Within fourteen (14) days after plaintiffs are served with this order, plaintiffs
2 shall serve a copy of this order upon each defendant. Within five (5) days after serving a copy of
3 this order on a defendant, plaintiffs shall file with the court a certificate of service indicating the
4 date and manner of service of this order on that defendant;

5 3. Any party may appear at the Status (Pretrial Scheduling) Conference
6 telephonically if the party pre-arranges such appearance by contacting Pete Buzo, the courtroom
7 deputy of the undersigned magistrate judge, at (916) 930-4128 at least 48 hours before the Status
8 (Pretrial Scheduling) Conference;

9 4. Plaintiffs shall file and serve a status report on or before **February 25, 2011**,
10 and defendants shall file and serve a status report or reports on or before **March 4, 2011**. Each
11 status report shall address all of the following matters:

- 12 a. Progress of service of process;
- 13 b. Possible joinder of additional parties;
- 14 c. Possible amendment of the pleadings;
- 15 d. Jurisdiction and venue;
- 16 e. Anticipated motions and the scheduling thereof;
- 17 f. Anticipated discovery and the scheduling thereof,
18 including disclosure of expert witnesses;
- 19 g. Future proceedings, including the setting of
20 appropriate cut-off dates for discovery and for law
21 and motion, and the scheduling of a final pretrial
22 conference and trial;
- 23 h. Modification of standard pretrial procedures
24 specified by the rules due to the relative simplicity
25 or complexity of the action;
- 26 i. Whether the case is related to any other case,
including matters in bankruptcy;
- j. Whether the parties will stipulate to the magistrate
judge assigned to this matter acting as settlement
judge, waiving any disqualification by virtue of his
so acting, or whether they prefer to have a

1 Settlement Conference before another magistrate
2 judge;

3 k. Whether the parties intend to consent to proceed
4 before a United States Magistrate Judge; and

5 l. Any other matters that may aid in the just and
6 expeditious disposition of this action;

7 5. The pro se plaintiffs are informed that failure to file a timely status report or
8 failure to appear at the status conference in person or telephonically may result in a
9 recommendation that this case be dismissed for lack of prosecution and as a sanction for failure
10 to comply with court orders and applicable rules. See Local Rules 110 and 183;

11 6. The pro se plaintiffs are cautioned that Rule 4(m) of the Federal Rules of Civil
12 Procedure provides that a defendant must be dismissed if service of process is not accomplished
13 on that defendant within 120 days from the date the complaint is filed; and

14 7. The pro se plaintiffs are advised that one party proceeding pro se cannot
15 represent any other party proceeding pro se. See Local Rule 183. Each pro se party must make
16 his or her own court appearances, and documents presented to the court for filing on behalf of
17 both plaintiffs must be signed by both of them.

18 DATED: November 30, 2010.

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20 _____
21 DALE A. DROZD
22 UNITED STATES MAGISTRATE JUDGE

23 DAD:kw
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