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

ARIEL BALTHROPE,  
Plaintiff,

No. 2:10-cv-3003-JAM-JFM (PS)

vs.

SACRAMENTO COUNTY OF  
HEALTH AND HUMAN SERVICES,  
et al.,  
Defendants.

ORDER SETTING STATUS CONFERENCE

\_\_\_\_\_ /  
This action has been assigned to Judge John A. Mendez and has been referred to the undersigned for all purposes described in Local Rule 72-302(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.

1 Pursuant to the provisions of Federal Rule of Civil Procedure 16 and Local Rule  
2 16-240, IT IS HEREBY ORDERED that:

3 1. A Status (Pretrial Scheduling) Conference is set for December 1, 2011 at 11:00  
4 a.m. in courtroom # 26 before the undersigned.

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

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

9 a. Service of process;

10 b. Possible joinder of additional parties;

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

12 d. Jurisdiction and venue;

13 e. Anticipated motions and the scheduling thereof;

14 f. Anticipated discovery and the scheduling thereof;

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

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

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

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

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

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1           4. Plaintiff and counsel are reminded of their continuing duty to notify chambers  
2 immediately of any settlement or other disposition (see Local Rule 16-160). In addition, the  
3 parties are cautioned that pursuant to Local Rule 78-230(c), opposition to the granting of a  
4 motion must be filed fourteen days preceding the noticed hearing date. The Rule further provides  
5 that “[n]o party will be entitled to be heard in opposition to a motion at oral arguments if written  
6 opposition to the motion has not been timely filed by that party.” Moreover, Local Rule 78-  
7 230(j) provides that failure to appear may be deemed withdrawal of opposition to the motion or  
8 may result in sanctions. Finally, Local Rule 11-110 provides that failure to comply with the  
9 Local Rules “may be grounds for imposition of any and all sanctions authorized by statute or  
10 Rule or within the inherent power of the Court.”

11           5. The Clerk shall send plaintiff copies (one for each defendant plus one for  
12 plaintiff) of the form, “Consent to Proceed Before United States Magistrate Judge,” with this  
13 order.

14 DATED: May 25, 2011.

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17 UNITED STATES MAGISTRATE JUDGE

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