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

BRIAN M. and JANELLE R. PAVEY,

Plaintiffs,

No. CIV S-11-1477 GEB DAD PS

vs.

RECONTRUST COMPANY, N.A.,
and DOES 1 through 10,

ORDER SETTING STATUS
(PRETRIAL SCHEDULING)
CONFERENCE

Defendants.

_____ /

Plaintiffs, proceeding pro se, commenced this action arising from a mortgage foreclosure on June 1, 2011, by filing a complaint and paying the required filing fee. The Clerk has issued a summons as to the sole named defendant. The case has been referred 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 for **Friday, October 7, 2011, at 10:00 a.m.** at the United States District Court, 501 I Street, Sacramento, California, in Courtroom No. 27 before the undersigned;

2. Within fourteen (14) days after plaintiffs are served with this order, plaintiffs shall serve a copy of this order upon the defendant;

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1 3. Within five (5) days after serving a copy of this order upon the defendant,
2 plaintiffs shall file a certificate of service indicating the date and manner of service of the order
3 upon the defendant;

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

8 5. Plaintiffs shall file and serve a status report on or before **September 23, 2011**,
9 and defendant shall file and serve a status report on or before **September 30, 2011**. Each status
10 report shall address all of the following matters:

- 11 a. Progress of service of process;
- 12 b. Possible joinder of additional parties;
- 13 c. Possible amendment of the pleadings;
- 14 d. Jurisdiction and venue;
- 15 e. Anticipated motions and the scheduling thereof;
- 16 f. Anticipated discovery and the scheduling thereof,
17 including disclosure of expert witnesses;
- 18 g. Future proceedings, including the setting of
19 appropriate cut-off dates for discovery and for law
20 and motion, and the scheduling of a final pretrial
21 conference and trial;
- 22 h. Modification of standard pretrial procedures
23 specified by the rules due to the relative simplicity
24 or complexity of the action;
- 25 i. Whether the case is related to any other case,
26 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
 Settlement Conference before another magistrate
 judge;

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

3 1. Any other matters that may aid in the just and
4 expeditious disposition of this action;

5 6. Plaintiffs are advised that failure to file a timely status report or failure to
6 appear at the status conference in person or telephonically may result in a recommendation that
7 this action be dismissed for lack of prosecution and as a sanction for failure to comply with court
8 orders and applicable rules. See Local Rules 110 and 183;

9 7. Plaintiffs are advised that any individual representing himself or herself
10 without an attorney must appear personally or by telephone and cannot delegate the duty of
11 appearance to any other party appearing without an attorney; in addition, each plaintiff must sign
12 any document submitted for filing on behalf of both plaintiffs. Each individual proceeding pro se
13 is bound by the Federal Rules of Civil Procedure, this court's Local Rules of Practice, and all
14 other applicable law. See Local Rule 183(a); and

15 8. Plaintiffs are cautioned that Rule 4(m) of the Federal Rules of Civil Procedure
16 provides that the defendant must be dismissed if service of the summons and complaint is not
17 accomplished on the defendant within 120 days from the date their complaint was filed.

18 DATED: June 3, 2011.

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

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