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

STEVEN G. DUNMORE,

Plaintiff,

No. 2:11-cv-2867 MCE AC PS

vs.

JEREMY A. DUNMORE, *et al.*,

Defendants.

ORDER SETTING STATUS CONFERENCE

_____ /

By order dated March 7, 2013, the court directed the parties to file a statement in accordance with Local Rule 270 should they wish to participate in a settlement conference in this case. ECF No. 110. The deadline for filing this statement has now passed, and the parties have failed to submit a statement. Accordingly, this matter will be set for scheduling.

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

1. Failure to comply with the Federal Rules of Civil Procedure or Local Rules of Practice for the United States District Court, Eastern District of California, or orders of this court, may result in dismissal of this action. Even parties without counsel will be expected to comply with the procedural rules.

1 2. A Status (Pretrial Scheduling) Conference is set for June 12, 2013 at 10:00
2 a.m. in courtroom # 26 before the undersigned. All parties shall appear by counsel or in person
3 if acting without counsel.

4 3. Although the court is in receipt of the parties' previously-filed status reports
5 (ECF Nos. 96-97), the parties shall submit to the court and serve by mail on all other parties, no
6 later than fourteen (14) days before the Status (Pretrial Scheduling) Conference, an amended
7 status report¹ addressing the following matters:

- 8 a. Service of process;
- 9 b. Possible joinder of additional parties;
- 10 c. Any expected or desired amendment of the pleadings;
- 11 d. Jurisdiction and venue;
- 12 e. Anticipated motions and the scheduling thereof;
- 13 f. The report required by Federal Rule of Civil Procedure 26 outlining the
14 proposed discovery plan and its scheduling, including disclosure of expert witnesses;
- 15 g. Future proceedings, including setting appropriate cut-off dates for
16 discovery and law and motion, and the scheduling of a pretrial conference and trial;
- 17 h. Special procedures, if any;
- 18 I. Estimated trial time;
- 19 j. Modification of standard pretrial procedures specified by the rules due
20 to the simplicity or complexity of the proceedings;
- 21 k. Whether the case is related to any other cases, including bankruptcy;
- 22 l. Whether a settlement conference should be scheduled;
- 23 m. Whether counsel will stipulate to the magistrate judge assigned to this
24 matter acting as settlement judge and waiving disqualification by virtue of her so acting, or

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26 ¹ The parties are encouraged, when possible, to file a joint status report.

1 whether they prefer to have a settlement conference before another judge;

2 n. Any other matters that may add to the just and expeditious disposition
3 of this matter.

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

14 DATED: May 6, 2013.

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16 ALLISON CLAIRE
17 UNITED STATES MAGISTRATE JUDGE

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