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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID FLORENCE,
Plaintiff,
v.
COLTER,
Defendant.

No. 2:11-cv-3119 GEB KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel. On July 28, 2017, the undersigned issued a pretrial order, providing that each party had 14 days in which to file objections. Following multiple extensions of time, on October 18, 2017, plaintiff filed a 37 page document styled, “Plaintiff [sic] Notice of Motion and Amendment Pretrial Order Under F.R.C.P. Rule 10 and L.R. 281.” (ECF No. 122.) The document includes a subheading, “Plaintiff [sic] pretrial statement order.”

Rather than setting forth his objections to the pretrial order, or specifically articulating the item or section to which he objects, plaintiff appears to have rewritten his own proposed “pretrial order,” or proposed “pretrial statement,” and also provided myriad exhibits.

Plaintiff is advised that the parties previously submitted their pretrial statements, and the court issued its pretrial order. (ECF No. 116.) The pretrial order provided for the parties to file objections, not an entirely new and different pretrial statement. If plaintiff objects to a particular

1 item or section of the pretrial order, he must file objections in which he identifies the section to
2 which he objects, and explain and support the reason why he objects. This court is not required to
3 compare plaintiff's belated proposed "pretrial statement" or proposed "pretrial order" with the
4 court's pretrial order in an effort to figure out plaintiff's objections.¹


5 Moreover, plaintiff is not required to submit exhibits, other than his newly- proposed
6 witness declarations. If plaintiff seeks to add new exhibits to the exhibit list, he must explain why
7 the submission was delayed, as explained on pages 4 and 5 of the pretrial order.

8 Therefore, plaintiff's filing is disregarded, and plaintiff shall file specific objections to the
9 July 28, 2017 pretrial order within thirty days from the date of this order.

10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. Plaintiff's October 18, 2017 filing (ECF No. 122) is disregarded; and
- 12 2. Plaintiff is granted thirty days from the date of this order in which to file specific
13 objections to the pretrial order. Failure to timely comply with this order will result in the issuance
14 of the final pretrial order.

15 Dated: November 15, 2017

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17 _____
18 KENDALL J. NEWMAN
19 UNITED STATES MAGISTRATE JUDGE

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28 ¹ For example, plaintiff included a "Points of Law" section, despite the court directing the parties
to do this in their trial briefs prior to trial. (ECF No. 116 at 3.)