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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN PHILIP MONCRIEF,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

No. 2:12-cv-0414 MCE AC P

ORDER

Plaintiff, a state prisoner, is proceeding through counsel with a second amended civil rights complaint filed pursuant to 42 U.S.C. § 1983. At the hearing on defendants’ motion to dismiss held on March 19, 2014 before the undersigned, the court solicited the parties’ views with respect to the scheduling of discovery matters as well as the potential additional amendment of the complaint to identify and name Doe defendants. In light of those discussions as well as a review of the court’s docket in the present matter, IT IS HEREBY ORDERD that:

1. The parties shall meet and confer within 21 days regarding the matters contemplated by Rule 26(f). In addition to determining a timeframe for making initial disclosures pursuant to Rule 26(a)(1), the parties shall attempt in good faith to agree on a proposed discovery plan that includes expedited discovery directed to the identities of Doe defendants.

2. The parties are ordered to submit to the court a joint status report no later than April 16, 2014, briefly setting out their views on the following matters:

- 1 a. Anticipated motions and their scheduling, specifically including plaintiff's
2 anticipated motion to amend upon discovery of the identities of Doe defendants;
- 3 b. The status and scheduling of discovery, including matters within the scope of
4 the discovery plan contemplated by Fed. R. Civ. P. 26 and this order;
- 5 c. Future proceedings, including appropriate cut-off dates for discovery and law
6 and motion, and the scheduling of a pretrial conference and trial;
- 7 d. Estimated trial time;
- 8 e. Modification of standard pretrial procedures specified by the rules due to the
9 simplicity or complexity of the proceedings;
- 10 f. Whether a settlement conference should be scheduled;
- 11 g. Whether counsel will stipulated to the magistrate judge assigned to this matter
12 acting as settlement judge and waiving disqualification by virtue of her so acting, or whether they
13 prefer to have a settlement conference before another judge;
- 14 h. Any other matter that may add to the just and expeditious disposition of this
15 matter;

16 3. Following receipt of the joint status report, the court will promptly issue a Scheduling
17 Order governing all future proceedings in this matter; and,

18 4. The undersigned will issue Findings and Recommendations to the District Judge on
19 defendants' pending motion to dismiss (ECF No. 35) as soon as practicable. Discovery shall
20 proceed in the meantime.

21 DATED: March 19, 2014

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23 ALLISON CLAIRE
24 UNITED STATES MAGISTRATE JUDGE
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