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

HOME SAVINGS OF AMERICA,
a federal savings and loan association,

Plaintiff,

No. 2:12-cv-1417 KJM DAD PS

vs.

JAMES J. CAPER, et al.,

ORDER

Defendants,

_____ /

By order filed September 11, 2012, this matter was set for a Status (Pretrial Scheduling) Conference before the undersigned on November 2, 2012. (Doc. No. 5.) Pursuant to the September 11, 2012 order, plaintiff was ordered to file a status report on or before October 19, 2012. The September 11, 2012 order also cautioned plaintiff that failure to file a status report could result in an order imposing an appropriate sanction. Nonetheless, the time for filing of plaintiff's status report has passed and plaintiff has not filed a status report.

The Status (Pretrial Scheduling) Conference set for November 2, 2012, will therefore be continued. Plaintiff is cautioned that further failure to file a status report or failure to appear at the status conference may result in an order imposing an appropriate sanction or in

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1 the recommendation that this action be dismissed for failure to prosecute. See Local Rules 110
2 and 183.

3 Accordingly, IT IS ORDERED that:

4 1. The Status (Pretrial Scheduling) Conference set for November 2, 2012 is
5 continued to **Friday, December 14, 2012, at 10:00 a.m.**, at the United States District Court, 501
6 I Street, Sacramento, California, in Courtroom No. 27, before the undersigned.

7 2. Each party is required to appear at the Status Conference, either by counsel or,
8 if proceeding in propria persona, on his own behalf. Any party may appear at the status
9 conference telephonically if the party pre-arranges such appearance by contacting Pete Buzo, the
10 courtroom deputy of the undersigned magistrate judge, at (916) 930-4128, no later than 48 hours
11 before the Status (Pretrial Scheduling) Conference; a land line telephone number must be
12 provided.

13 3. Plaintiff shall file and serve its own separate status report on or before
14 **November 30, 2012**, and defendant shall file and serve his own separate status report on or
15 before **December 7, 2012**. Each party's status report shall address all of the following matters:

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

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- i. Whether the case is related to any other case, 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;
- k. Whether the parties intend to consent to proceed before a United States Magistrate Judge; and
- l. Any other matters that may aid in the just and expeditious disposition of this action.

4. The parties are again cautioned that failure to file a status report or failure to appear at the status conference may result in an order imposing an appropriate sanction, including a possible recommendation that this action be dismissed due to plaintiff's failure to prosecute. See Local Rules 110 and 183.

DATED: October 26, 2012.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

DAD:6
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