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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

HOSAM KADDOURA,
Plaintiff,
v.
MALCOLM DOUGHERTY, Director of
California Department of Transportation,
Defendant.

No. 2:12-cv-2114 DAD PS

ORDER

READ THIS ORDER CAREFULLY. IT CONTAINS IMPORTANT DATES WHICH THE COURT WILL STRICTLY ENFORCE AND WITH WHICH ALL COUNSEL AND PARTIES MUST COMPLY. A FAILURE TO COMPLY WITH THE TERMS OF THIS ORDER MAY RESULT IN THE IMPOSITION OF MONETARY AND ALL OTHER SANCTIONS WITHIN THE POWER OF THE COURT, INCLUDING DISMISSAL OR AN ORDER OF JUDGMENT.

Plaintiff, Hosam Kaddoura, proceeding pro se, commenced this action on August 14, 2012, by filing a complaint and paying the required filing fee. The parties have consented to Magistrate Judge jurisdiction over this action pursuant to 28 U.S.C. § 636(c)(1). (Dkt. No. 16.) Pursuant to court order, a hearing was held on December 20, 2013, at 1:30 p.m., before the

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1 undersigned. Plaintiff appeared on his own behalf. Attorney Navtej Singh Bassi appeared on
2 behalf of the defendant.

3 For the reasons stated on the record at the hearing, the court makes the following
4 orders:

5 **PREVIOUSLY SET DATES**

6 All previously set deadlines and dates are hereby vacated.

7 **MOTION HEARING SCHEDULES**

8 All law and motion, except as to discovery, which is discussed below, shall be
9 conducted so as to be completed by **August 1, 2014**. The word “completed” in this context
10 means that all law and motion matters must be **heard** on or before the above date. Because this
11 date is not necessarily a date that will be set aside for law and motion hearings, it is incumbent
12 upon counsel and parties proceeding pro se to contact this court’s courtroom deputy, Pete Buzo,
13 at (916) 930-4128 sufficiently in advance so as to ascertain dates upon which law and motion will
14 be heard and to properly notice motions for hearing on or before the specified date. This
15 paragraph does not preclude the filing of motions for continuances, motions for temporary
16 restraining orders, and other emergency applications that are subject to special scheduling.

17 The parties shall refer to Local Rule 230 regarding the requirements for noticing a
18 non-discovery motion on the magistrate judge’s regularly scheduled law and motion calendar.
19 **Counsel and parties proceeding pro se shall file and serve opposition OR a statement of**
20 **non-opposition to all properly noticed motions not later than fourteen (14) days preceding**
21 **the hearing date. Any reply shall be filed and served not later than seven (7) days preceding**
22 **the hearing date.**

23 The parties should keep in mind that the purpose of law and motion is to narrow
24 and refine the legal issues raised by the case, and to dispose of by pretrial motion those issues that
25 are susceptible to resolution without trial. To accomplish that purpose, the parties must identify
26 and fully research the issues presented by the case and then examine those issues in light of the
27 evidence gleaned through discovery. If it appears to counsel or a party proceeding pro se after

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1 examining the legal issues and the facts that an issue can be resolved by pretrial motion, counsel
2 or the pro se party shall file an appropriate motion within the time set forth above.

3 **ALL PURELY LEGAL ISSUES ARE TO BE RESOLVED BY TIMELY**
4 **PRETRIAL MOTION.** Counsel and parties proceeding pro se are reminded that motions in
5 limine are procedural devices designed to address the admissibility of evidence. Counsel and
6 parties proceeding pro se are cautioned that the court will look with disfavor upon substantive
7 motions presented in the guise of motions in limine at the time of trial. Counsel and parties
8 proceeding pro se are further cautioned that if any legal issue that should have been tendered to
9 the court by pretrial motion must be resolved by the court after law and motion cutoff, substantial
10 sanctions may be levied against the attorney or the party proceeding pro se who failed to timely
11 file an appropriate motion.

12 **DISCOVERY**

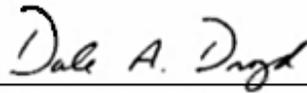
13 All limitations on discovery set forth in the Federal Rules shall govern this action
14 absent further order of the court. All discovery shall be conducted so as to be completed by
15 **March 28, 2014**. The word “completed” in this context means that all discovery shall have been
16 conducted so that all depositions have been taken and any disputes relative to discovery shall
17 have been resolved by appropriate order if necessary and, where discovery has been ordered, the
18 order has been complied with. All discovery motions must be noticed on the magistrate judge’s
19 calendar in accordance with Local Rule 251.

20 On or before **February 14, 2014**, plaintiff shall disclose in a writing filed with the
21 court and served upon defendant the names of any experts he proposes to tender at trial. On or
22 before **February 28, 2014**, defendant shall disclose in a writing filed with the court and served
23 upon plaintiff’s counsel the names of any experts he proposes to tender at trial. On or before
24 **March 7, 2014**, plaintiff shall disclose in a writing filed with the court and served upon defendant
25 the names of any rebuttal experts he proposes to tender at trial. All experts so designated are to
26 be fully prepared to render an informed opinion at the time of designation so that they may fully
27 participate in any deposition taken by the opposing party. Experts will not be permitted to testify
28 at the trial as to any information gathered or evaluated, or opinion formed, after deposition taken

1 subsequent to designation. An expert witness not listed in the party's designation of witnesses
2 will not be permitted to testify unless the party offering the witness demonstrates that: (a) the
3 necessity of the witness could not have been reasonably anticipated at the time the lists were
4 exchanged; (b) the court and opposing counsel were promptly notified upon discovery of the
5 witness; and (c) the witness was promptly proffered for deposition.

6 IT IS SO ORDERED.

7 Dated: December 20, 2013

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10 DALE A. DROZD
11 UNITED STATES MAGISTRATE JUDGE

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