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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY W. ROBINSON,
Plaintiff,
v.
SAN JOAQUIN COUNTY, et al.,
Defendants.

No. 2:12-cv-02783-MCE-GGH

ORDER

A hearing was held in the above-captioned matter regarding plaintiff’s motion to compel discovery responses on the court’s regular law and motion calendar of June 7, 2018. Plaintiff appeared pro se and defendant was represented by Velma K. Kim of the Kroloff, Belcher law firm.

The court explained that pursuant to the Scheduling Order entered by District Judge Morrison C. England, on October 10, 2017, ECF No. 138, and iterated by this court during a settlement conference held April 19, 2018, ECF No. 163, discovery closed on April 5, 2018. Plaintiff’s discovery motion was untimely according to the court’s orders and is denied.

Because no dispositive motion could now be timely filed, the Joint Notice of Trial Readiness therefore was now due. Plaintiff expressed confusion as to what was to be said in such a statement, and the court agreed to provide some guidance in this post-hearing Order.

1 The content of such a Notice is listed in Judge England's Scheduling order, ECF No. 138
2 at page 5, to include the following categories of information:

3 1. Appropriateness of Special Procedures: This is designed to give the court notice if
4 there is a need for anything not normally available in the courtroom such as a language
5 interpreter, an accommodation for a disabled person who cannot be seated in the witness chair,
6 etc. If no such special procedure is required the Statement should so state.

7 2. Whether the case is related to any other case(s) on file in this District: The court
8 has seen no evidence of any related case, which is defined in Eastern District of California Local
9 Rule 123 as a case:

- 10 a. Involving the same parties and based on the same or a similar claim;
- 11 b. Involving the same property, transaction, or event;
- 12 c. Involving similar questions of fact and the same legal question which might
13 suggest that the assignment of both cases to the same Judge or Magistrate
14 Judge will save time and effort because they should both have the same result;
- 15 d. For any other reason substantial duplication of labor will result if the two
16 actions are not heard by the same Judge or Magistrate Judge.

17 If there is no such related case, as the undersigned believes, the Statement
18 should so state.

19 3. The Prospect for Settlement: This asks if the parties are still attempting to settle,
20 whether some court assistance might aid in potential settlement, or whether there appears no
21 realistic chance for settlement.

22 4. Estimated Trial Length: This calls for the number of trial days, assuming a normal
23 9:00 to 4:30 schedule, which will be required to complete the case from jury selection, if there is
24 to be a jury, through to completion of closing arguments. If the two parties disagree regarding the
25 number of trial days that will be required they may each give a separate estimate, but hopefully
26 the parties can arrive at a joint estimate for the purpose of the court's schedule planning.

27 5. Request for a jury: Have one or both of the parties requested trial by jury? If so,
28 identify the party which has so requested or, if both have, indicate a joint request is in play.

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6. The Parties' Availability for Trial: In this section the parties may suggest dates for commencing trial taking into consideration the estimated length of time they have stated they believe it will last and, to the degree either of them has immutable plans over the next 12 or so months, indicate to the court the dates on which they *will not* be available.

No hearing on this document should be set. Rather, it is likely that the district court will, after reviewing the statement, set dates for a Final Pretrial Conference and Trial.

In light of the foregoing, IT IS HEREBY ORDERED that:

1. Plaintiff's Motion to Compel Further Discovery is DENIED.
2. The parties shall meet and confer to agree on the content of the Joint Trial

Readiness Conference which shall be submitted to the court within 30 days of the date of this Order.

Dated: June 11, 2018

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE