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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT CAPP, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

NORDSTROM, INC., a Washington
corporation,

Defendant.

No. 2:13-cv-00660-MCE-AC

SCHEDULING ORDER

After reviewing the parties' Joint Status Report, the Court makes the following Scheduling Order.

I. SERVICE OF PROCESS

All named Defendants have been served and no further service is permitted without leave of court, good cause having been shown.

II. ADDITIONAL PARTIES/AMENDMENTS/PLEADINGS

No joinder of parties or amendments to pleadings is permitted without leave of court, good cause having been shown.

III. JURISDICTION/VENUE

Jurisdiction is predicated upon 28 U.S.C. sections 1332(d) and 1441(a).
Jurisdiction and venue are not contested.

1 IV. DISCOVERY

2 All discovery as to Plaintiff's individual claim shall be completed by **October 1,**
3 **2014.** In this context, "completed" means that all discovery shall have been conducted
4 so that all depositions have been taken and any disputes relative to discovery shall have
5 been resolved by appropriate order if necessary and, where discovery has been
6 ordered, the order has been obeyed. All motions to compel discovery must be noticed
7 on the magistrate judge's calendar in accordance with the local rules of this Court.

8 VI. MOTION HEARING SCHEDULE

9 The last day to hear summary judgment motions as to individual claims shall be
10 **December 4, 2014.** All papers should be filed in conformity with the Local Rules.

11 However, the parties shall comply with the following filing deadlines:

12 Motion for Summary Judgment filed at least 8 weeks prior to hearing

13 Opposition and any cross-motion filed at least 5 weeks prior to hearing

14 Reply and opposition to cross-motion filed at least 3 weeks prior to hearing

15 Reply to cross-motion filed at least 1 week prior to hearing

16
17 Absent leave of the Court, all issues the parties wish to resolve on summary
18 judgment must be raised together in one (1) motion or cross-motion. Should the parties
19 wish to file additional motions for summary judgment, they must seek leave of the Court.
20

21 The parties are directed to the Court's website for available hearing dates.
22 (www.caed.uscourts.gov → choose Judges → choose Judge England → choose
23 Standard Information)

24 All purely legal issues are to be resolved by timely pretrial motions. Failure to
25 comply with Local Rules 230 and 260, as modified by this Order, may be deemed
26 consent to the motion and the Court may dispose of the motion summarily.

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1 Further, failure to timely oppose a summary judgment motion¹ may result in the granting
2 of that motion if the movant shifts the burden to the nonmovant to demonstrate that a
3 genuine issue of material fact remains for trial.

4 The Court places a page limit for points and authorities (exclusive of exhibits and
5 other supporting documentation) of twenty (20) pages on all initial moving papers, twenty
6 (20) pages on oppositions, and ten (10) pages for replies. All requests for page limit
7 increases must be made in writing to the Court setting forth any and all reasons for any
8 increase in page limit at least fourteen (14) days prior to the filing of the motion.

9 For the Court's convenience, citations to the Supreme Court Lexis database
10 should include parallel citations to the Westlaw database.

11 VII. OTHER


12 The parties shall file a Joint Status Report not later than thirty (30) days following
13 the Court's ruling as to the motions for summary judgment. All other necessary dates
14 and deadlines pertaining to class certification proceedings, including dates for the Final
15 Pretrial Conference and Trial, will be established thereafter.

16 VIII. OBJECTIONS TO PRETRIAL SCHEDULING ORDER

17 This Pretrial Scheduling Order will become final without further order of the Court
18 unless objections are filed within seven (7) court days of service of this Order.

19 IT IS SO ORDERED.

20 Dated: May 28, 2014

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22 
23 _____
24 MORRISON C. ENGLAND, JR., CHIEF JUDGE
25 UNITED STATES DISTRICT COURT
26

27 _____
28 ¹ The Court urges any party that contemplates bringing a motion for summary judgment or who
must oppose a motion for summary judgment to review Local Rule 260.