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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL MORENO, et al.,

Plaintiffs,

v.

ROSS ISLAND SAND & GRAVEL CO.,
et al.,

Defendants.

No. 2:13-cv-00691-KJN-KJN

SCHEDULING ORDER

On January 8, 2015, the court held a scheduling conference. William McLaughlin appeared by telephone for the plaintiffs, and Gregory Dyer appeared for the defendant Ross Island Sand & Gravel Co. After considering the parties' joint status report, ECF No. 90, and after hearing from the parties, the court issues the following findings and orders.

Jurisdiction and venue are not disputed. The parties anticipate no future joinder of parties or amendments to the pleadings. No motions are pending, although the parties anticipate future motion practice in line with the Federal Rules of Civil Procedure.

Discovery is complete but for the deposition of one of the plaintiffs' experts. This deposition shall take place no later than **February 13, 2015**; all disputes related to that deposition, including about its cost, shall be resolved by the same date.

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The court notes the parties' disagreement whether this case will be tried to the court or to a jury. In the interest of efficiency, the court MODIFIES its Minute Order, ECF No. 82, as follows: The court will hear the parties' arguments on this question during the final pretrial conference on **July 16, 2015**. The parties shall file simultaneous briefs on the same question no later than **June 25, 2015**. Oppositions shall be filed by **July 9, 2015**.

As previously set, trial is scheduled for **August 17, 2015** at 9:00 a.m. Trial briefs are due **August 3, 2015**.

Any objections to this order shall be filed no later than fourteen days from its issuance. After that date, it shall become final without further order.

IT IS SO ORDERED.

DATED: January 12, 2015.


UNITED STATES DISTRICT JUDGE