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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CARSON HAMMERSLEY, et al.,
Plaintiffs,
v.
GENERAL ELECTRIC, et al.,
Defendants.

No. 13-cv-00826 TLN-KJN

ORDER

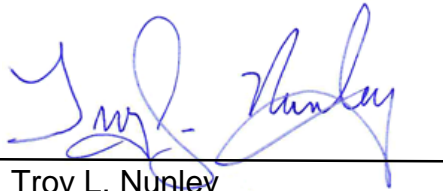
This matter is before the Court on Plaintiffs Amy and Carson Hammersley’s objections (ECF 67) to the Court’s pretrial scheduling order (ECF 66). Plaintiffs specifically object to the Court’s trial date of July 20, 2015. Plaintiffs request a trial date sometime in 2014. Plaintiffs object on the grounds that “Plaintiff Carson Hammersley’s health is deteriorating and there are serious concerns about his ability to effectively participate in any trial if this case is not tried until July 2015.” (ECF 67 at 1.) In support of their objections, Plaintiffs have filed the declaration of Carson Hammersley’s physician. (ECF 67-1.) It is the physician’s opinion that “Carson’s ability to attend trial and physically and cognitively assist his legal team 18 months from now is speculative.” (ECF 67-1 ¶ 1.) Defendants oppose the objections. (ECF 70.)

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The Court acknowledges and is incredibly sympathetic to Plaintiff's condition. However, based on the speculative nature of the physician's opinion, this Court declines to alter its pretrial scheduling order. This is a particularly complex case which requires extensive pretrial litigation to decide the many issues to be addressed at trial. Moreover, this Court has a congested calendar and simply cannot accommodate this case for trial in 2014. Based on the foregoing, Plaintiffs' objections to the pretrial scheduling order are OVERRULED.

Dated: March 7, 2014



Troy L. Nunley
United States District Judge