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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRIAN BURCH,
Plaintiff,
v.
CALIFORNIA DEPARTMENT OF
MOTOR VEHICLES,
Defendant.

No. 2:13-cv-1283 TLN DAD PS

ORDER

On November 6, 2014, the assigned District Judge granted a motion to withdraw filed by plaintiff's former counsel and referred the matter to the undersigned pursuant to Local Rule 302(c)(21). (Dkt. No. 47.) On November 7, 2014, the matter came before the undersigned for hearing of defendant's motion to compel. (Dkt. No. 35.)

For the reasons discussed at the November 7, 2014 hearing, and pursuant to the provisions of Rule 16 of the Federal Rules of Civil Procedure, **IT IS ORDERED** that:

1. A Status (Pretrial Scheduling) Conference is set for **Friday, December 19, 2014, at 10:00 a.m.**, at the United States District Court, 501 I Street, Sacramento, California, in Courtroom No. 27, before the undersigned.

2. Each party is required to appear at the Status Conference, either by counsel or, if proceeding in propria persona, on his own behalf. Any party may appear at the status conference

1 telephonically if the party pre-arranges such appearance by contacting Pete Buzo, the courtroom
2 deputy of the undersigned magistrate judge, at (916) 930-4128, no later than 48 hours before the
3 Status (Pretrial Scheduling) Conference; a land line telephone number must be provided.

4 3. Plaintiff shall file and serve a status report on or before **December 5, 2014**¹, and
5 defendant shall file and serve a status report on or before **December 12, 2014**. Each party's
6 status report shall address all of the following matters:

- 7 a. Progress of service of process;
- 8 b. Possible joinder of additional parties;
- 9 c. Possible amendment of the pleadings;
- 10 d. Jurisdiction and venue;
- 11 e. Anticipated motions and the scheduling thereof;
- 12 f. Anticipated discovery and the scheduling thereof, including disclosure of
13 expert witnesses;
- 14 g. Future proceedings, including the setting of appropriate cut-off dates for
15 discovery and for law and motion, and the scheduling of a final pretrial
16 conference and trial;
- 17 h. Modification of standard pretrial procedures specified by the rules due to
18 the relative simplicity or complexity of the action;
- 19 i. Whether the case is related to any other case, including matters in
20 bankruptcy;
- 21 j. Whether the parties will stipulate to the magistrate judge assigned to this
22 matter acting as settlement judge, waiving any disqualification by virtue of
23 his so acting, or whether they prefer to have a Settlement Conference
24 before another magistrate judge;
- 25 k. Whether the parties intend to consent to proceed before a United States
26 Magistrate Judge; and
- 27 l. Any other matters that may aid in the just and expeditious disposition of
28 this action.

¹ If plaintiff does not wish to prosecute this action at this time he should refer to Rule 41 of the Federal Rules of Civil Procedure and file a statement of his intentions on or before December 5, 2014.

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4. Plaintiff is cautioned that his failure to file a timely status report or his failure to appear at the status conference will result in the undersigned issuing findings and recommendations recommending that this matter be dismissed for lack of prosecution. See Local Rules 110 and 183.

5. The deadlines set by any previous scheduling order, or modifications thereto, are vacated.

6. Defendant's September 26, 2014 motion to compel (Dkt. No. 35) is denied without prejudice to being re-noticed.

Dated: November 7, 2014



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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