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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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ALBA MORALES; LAINIE COHEN;
LINDA CLAYMAN; and KENNETH
DREW, on behalf of themselves
and all others similarly
situated,

 Plaintiffs,

 v.

CONOPCO INC., d/b/a UNILEVER,

 Defendant.

CIV. NO. 2:13-2213 WBS EFB

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STATUS (PRETRIAL SCHEDULING) ORDER

After reviewing the parties' Joint Status Report, the court hereby vacates the Status (Pretrial Scheduling) Conference scheduled for May 27, 2014, and makes the following findings and orders without needing to consult with the parties any further.

I. SERVICE OF PROCESS

All remaining defendants have been served, and no

1 further service is permitted without leave of court, good cause
2 having been shown under Federal Rule of Civil Procedure 16(b).

3 II. JOINDER OF PARTIES/AMENDMENTS

4 No further joinder of parties or amendments to
5 pleadings will be permitted except with leave of court, good
6 cause having been shown under Federal Rule of Civil Procedure
7 16(b). See Johnson v. Mammoth Recreations, Inc., 975 F.2d 604
8 (9th Cir. 1992).

9 III. JURISDICTION/VENUE

10 Jurisdiction is predicated upon the Class Action
11 Fairness Act of 2005, 28 U.S.C. § 1332(d), because the amount in
12 controversy exceeds five million dollars and a substantial number
13 of members of the putative class are citizens of a state
14 different from that of defendant. Venue is undisputed and is
15 hereby found to be proper.

16 IV. DISCOVERY

17 The parties shall serve the initial disclosures
18 required by Federal Rule of Civil Procedure 26(a)(1) by no later
19 than May 16, 2014.

20 All non-expert discovery, including depositions for
21 preservation of testimony, is left open, save and except that it
22 shall be so conducted as to be completed by February 13, 2015.
23 The word "completed" means that all discovery shall have been
24 conducted so that all depositions have been taken and any
25 disputes relevant to discovery shall have been resolved by
26 appropriate order if necessary and, where discovery has been
27 ordered, the order has been obeyed. All motions to compel
28 discovery must be noticed on the magistrate judge's calendar in

1 accordance with the local rules of this court and so that such
2 motions may be heard (and any resulting orders obeyed) not later
3 than February 13, 2015.

4 Plaintiffs shall disclose their experts and produce
5 reports by no later than March 13, 2015. Defendant shall conduct
6 any depositions of plaintiffs' expert witnesses by no later than
7 April 10, 2015. Defendant shall disclose its experts and produce
8 reports by no later than April 10, 2015. Plaintiffs shall
9 conduct any depositions of defendant's expert witnesses by no
10 later than May 8, 2015. Plaintiffs shall disclose any rebuttal
11 expert witnesses and produce rebuttal expert reports by no later
12 than May 8, 2015. Defendant shall conduct any depositions of
13 plaintiffs' rebuttal witnesses by no later than June 5, 2015.
14 All expert discovery shall be completed by June 12, 2015. All
15 motions to compel expert discovery must be noticed on the
16 magistrate judge's calendar in accordance with the local rules of
17 this court and so that such motions may be heard (and any
18 resulting orders obeyed) not later than June 12, 2015.

19 V. MOTION HEARING SCHEDULE

20 Plaintiffs contemplate filing a motion for class
21 certification, and shall file that motion on or before July 10,
22 2015. Defendant shall file its opposition on or before August
23 21, 2015, and plaintiffs shall file their reply on or before
24 September 18, 2015. The court will hear plaintiff's motion for
25 class certification on October 5, 2015, or on the next available
26 hearing date.

27 All other motions, except motions for continuances,
28 temporary restraining orders, or other emergency applications,

1 shall be filed on or before December 7, 2015. All motions shall
2 be noticed for the next available hearing date. Counsel are
3 cautioned to refer to the local rules regarding the requirements
4 for noticing and opposing such motions on the court's regularly
5 scheduled law and motion calendar.

6 VI. FINAL PRETRIAL CONFERENCE

7 The Final Pretrial Conference is set for February 16,
8 2016, at 2:00 p.m. in Courtroom No. 5. The conference shall be
9 attended by at least one of the attorneys who will conduct the
10 trial for each of the parties and by any unrepresented parties.

11 Counsel for all parties are to be fully prepared for
12 trial at the time of the Pretrial Conference, with no matters
13 remaining to be accomplished except production of witnesses for
14 oral testimony. Counsel shall file separate pretrial statements,
15 and are referred to Local Rules 281 and 282 relating to the
16 contents of and time for filing those statements. In addition to
17 those subjects listed in Local Rule 281(b), the parties are to
18 provide the court with: (1) a plain, concise statement which
19 identifies every non-discovery motion which has been made to the
20 court, and its resolution; (2) a list of the remaining claims as
21 against each defendant; and (3) the estimated number of trial
22 days.

23 In providing the plain, concise statements of
24 undisputed facts and disputed factual issues contemplated by
25 Local Rule 281(b)(3)-(4), the parties shall emphasize the claims
26 that remain at issue, and any remaining affirmatively pled
27 defenses thereto. If the case is to be tried to a jury, the
28 parties shall also prepare a succinct statement of the case,

1 which is appropriate for the court to read to the jury.

2 VII. TRIAL SETTING

3 The trial is set for April 12, 2016, at 9:00 a.m.
4 Plaintiffs demand a jury trial. The parties have not provided an
5 estimate of how long the trial will last.

6 VIII. SETTLEMENT CONFERENCE

7 A Settlement Conference will be set at the time of the
8 Pretrial Conference. All parties should be prepared to advise
9 the court whether they will stipulate to the trial judge acting
10 as settlement judge and waive disqualification by virtue thereof.

11 Counsel are instructed to have a principal with full
12 settlement authority present at the Settlement Conference or to
13 be fully authorized to settle the matter on any terms. At least
14 seven full calendar days before the Settlement Conference,
15 counsel for each party shall submit a confidential Settlement
16 Conference Statement for review by the settlement judge. If the
17 settlement judge is not the trial judge, the Settlement
18 Conference Statements shall not be filed and will not otherwise
19 be disclosed to the trial judge.

20 IX. MODIFICATIONS TO SCHEDULING ORDER

21 Any requests to modify the dates or terms of this
22 Scheduling Order, except requests to change the date of the
23 trial, may be heard and decided by the assigned Magistrate Judge.
24 All requests to change the trial date shall be heard and decided
25 only by the undersigned judge.

26 Dated: May 9, 2014

27 

28 **WILLIAM B. SHUBB**
UNITED STATES DISTRICT JUDGE