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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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ARGONAUT-MIDWEST INS. CO., a  
Texas corporation,

Plaintiff,

v.

HOBLIT MOTORS, INC. dba  
HOBLIT ENTERPRISES, INC., dba  
COLUSA AUTO MART, INC., dba,  
HOBLIT INVESTMENT PARTNERS;  
HOBLIT DODGE CHRYSLER JEEP;  
AMBER KESTERSON, individually  
and as guardian ad litem for  
ANDY KESTERSON, GARTH  
KESTERSON and JEWEL  
KESTERSON; TONY KESTERSON;  
STEVEN KESTERSON; and Does 1-  
10, inclusive,

Defendants.

CIV. NO. 2:14-1012 WBS CKD

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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 January 20, 2015, and makes the following findings

1 and orders without needing to consult with the parties any  
2 further.

3 I. SERVICE OF PROCESS

4 The parties indicate all defendants have been served.  
5 No further service is permitted without leave of court, good  
6 cause having been shown under Federal Rule of Civil Procedure  
7 16(b).

8 II. JOINDER OF PARTIES/AMENDMENTS

9 Plaintiff states that it anticipates amending its  
10 Complaint to clarify additional coverage issues and to correctly  
11 state some of the parties' names. After January 26, 2015, no  
12 further joinder of parties or amendments to pleadings will be  
13 permitted except with leave of court, good cause having been  
14 shown under Federal Rule of Civil Procedure 16(b). See Johnson  
15 v. Mammoth Recreations, Inc., 975 F.2d 604 (9th Cir. 1992).

16 III. JURISDICTION/VENUE

17 Jurisdiction is predicated upon diversity jurisdiction,  
18 28 U.S.C. § 1332. Venue is undisputed and is hereby found to be  
19 proper.

20 IV. DISCOVERY

21 The parties shall serve the initial disclosures  
22 required by Federal Rule of Civil Procedure 26(a)(1) by no later  
23 than February 2, 2015.

24 The parties shall disclose experts and produce reports  
25 in accordance with Federal Rule of Civil Procedure 26(a)(2) by no  
26 later than April 1, 2015. With regard to expert testimony  
27 intended solely for rebuttal, those experts shall be disclosed  
28 and reports produced in accordance with Federal Rule of Civil

1 Procedure 26(a)(2) on or before May 1, 2015.

2 All discovery, including depositions for preservation  
3 of testimony, is left open, save and except that it shall be so  
4 conducted as to be completed by June 1, 2015. The word  
5 "completed" means that all discovery shall have been conducted so  
6 that all depositions have been taken and any disputes relevant to  
7 discovery shall have been resolved by appropriate order if  
8 necessary and, where discovery has been ordered, the order has  
9 been obeyed. All motions to compel discovery must be noticed on  
10 the magistrate judge's calendar in accordance with the local  
11 rules of this court and so that such motions may be heard (and  
12 any resulting orders obeyed) not later than June 1, 2015.

13 V. MOTION HEARING SCHEDULE

14 All motions, except motions for continuances, temporary  
15 restraining orders, or other emergency applications, shall be  
16 filed on or before August 3, 2015. All motions shall be noticed  
17 for the next available hearing date. Counsel are cautioned to  
18 refer to the local rules regarding the requirements for noticing  
19 and opposing such motions on the court's regularly scheduled law  
20 and motion calendar.

21 VI. FINAL PRETRIAL CONFERENCE

22 The Final Pretrial Conference is set for October 13,  
23 2015, at 2:00 p.m. in Courtroom No. 5. The conference shall be  
24 attended by at least one of the attorneys who will conduct the  
25 trial for each of the parties and by any unrepresented parties.

26 Counsel for all parties are to be fully prepared for  
27 trial at the time of the Pretrial Conference, with no matters  
28 remaining to be accomplished except production of witnesses for

1 oral testimony. Counsel shall file separate pretrial statements,  
2 and are referred to Local Rules 281 and 282 relating to the  
3 contents of and time for filing those statements. In addition to  
4 those subjects listed in Local Rule 281(b), the parties are to  
5 provide the court with: (1) a plain, concise statement which  
6 identifies every non-discovery motion which has been made to the  
7 court, and its resolution; (2) a list of the remaining claims as  
8 against each defendant; and (3) the estimated number of trial  
9 days.

10 In providing the plain, concise statements of  
11 undisputed facts and disputed factual issues contemplated by  
12 Local Rule 281(b) (3)-(4), the parties shall emphasize the claims  
13 that remain at issue, and any remaining affirmatively pled  
14 defenses thereto. If the case is to be tried to a jury, the  
15 parties shall also prepare a succinct statement of the case,  
16 which is appropriate for the court to read to the jury.

17 VII. TRIAL SETTING

18 The bench trial is set for December 8, 2015, at 9:00  
19 a.m. The parties estimate that the trial will take six days.

20 VIII. SETTLEMENT CONFERENCE

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

25 Counsel are instructed to have a principal with full  
26 settlement authority present at the Settlement Conference or to  
27 be fully authorized to settle the matter on any terms. At least  
28 seven calendar days before the Settlement Conference counsel for

1 each party shall submit a confidential Settlement Conference  
2 Statement for review by the settlement judge. If the settlement  
3 judge is not the trial judge, the Settlement Conference  
4 Statements shall not be filed and will not otherwise be disclosed  
5 to the trial judge.

6 IX. MODIFICATIONS TO SCHEDULING ORDER

7 Any requests to modify the dates or terms of this  
8 Scheduling Order, except requests to change the date of the  
9 trial, may be heard and decided by the assigned Magistrate Judge.  
10 All requests to change the trial date shall be heard and decided  
11 only by the undersigned judge.

12 Dated: January 14, 2015

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14 **WILLIAM B. SHUBB**  
15 **UNITED STATES DISTRICT JUDGE**  
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