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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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ANNA SMITH,

 Plaintiff,

 v.

CALSTATE LAND INVESTMENT
INC., a California
Corporation; MARC V. MORETTI;
and DOES 1-10,

 Defendants.

CIV. NO. 2:14-1098 WBS CMK

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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 September 8, 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 federal question
11 jurisdiction, 28 U.S.C. §§ 1331, 1343, because plaintiff's claims
12 arise under the Americans with Disabilities Act, 42 U.S.C. §
13 12101 et seq. Supplemental jurisdiction is predicated upon 28
14 U.S.C. § 1367. Venue is undisputed and is hereby found to be
15 proper.

16 IV. SETTLEMENT CONFERENCE

17 The court has determined that this case is appropriate
18 for an early settlement conference. The parties shall contact
19 the assigned magistrate judge's courtroom deputy no later than
20 September 5, 2014, by phone or email to schedule an early
21 settlement conference. Contact information for the assigned
22 magistrate judge is available at www.caed.uscourts.gov under the
23 "Judges" tab.

24 At the settlement conference, each party is ordered to
25 have a principal with full settlement authority present at the
26 conference or be fully authorized to settle the matter on any
27 terms. No later than seven days before the date of the
28 Settlement Conference, counsel for each party shall submit a

1 confidential Settlement Conference Statement to the settlement
2 judge. Such statements shall not be filed, but shall be
3 delivered to the chambers of the settlement judge, in hard copy.

4 V. DISCOVERY

5 The parties shall serve the initial disclosures
6 required by Federal Rule of Civil Procedure 26(a)(1) by no later
7 than September 5, 2014.

8 All non-expert discovery, including depositions for
9 preservation of testimony, is left open, save and except that it
10 shall be so conducted as to be completed by February 13, 2015.

11 The word "completed" means that all discovery shall have been
12 conducted so that all depositions have been taken and any
13 disputes relevant to discovery shall have been resolved by
14 appropriate order if necessary and, where discovery has been
15 ordered, the order has been obeyed. All motions to compel
16 discovery must be noticed on the magistrate judge's calendar in
17 accordance with the local rules of this court and so that such
18 motions may be heard (and any resulting orders obeyed) not later
19 than February 13, 2015.

20 The parties shall disclose experts and produce reports
21 in accordance with Federal Rule of Civil Procedure 26(a)(2) by no
22 later than March 13, 2015. With regard to expert testimony
23 intended solely for rebuttal, those experts shall be disclosed
24 and reports produced in accordance with Federal Rule of Civil
25 Procedure 26(a)(2) on or before March 27, 2015.

26 VI. MOTION HEARING SCHEDULE

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

1 filed on or before March 27, 2015. All motions shall be noticed
2 for the next available hearing date. Counsel are cautioned to
3 refer to the local rules regarding the requirements for noticing
4 and opposing such motions on the court's regularly scheduled law
5 and motion calendar.

6 VII. FINAL PRETRIAL CONFERENCE

7 The Final Pretrial Conference is set for May 11, 2015,
8 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 VIII. TRIAL SETTING

3 The jury trial is set for June 30, 2015, at 9:00 a.m.
4 Defendants request a jury trial. The parties estimate that a
5 jury trial will take between three and five days.

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: August 20, 2014

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14 WILLIAM B. SHUBB
15 UNITED STATES DISTRICT JUDGE
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