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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TIMOTHY DEMARTINI, et al.,
Plaintiffs,
v.
MICHAEL DEMARTINI, et al.,
Defendants.

No. 2:14-cv-2722 JAM CKD PS

ORDER

Plaintiffs’ motion to compel a revised initial disclosure came on regularly for hearing on December 7, 2016.¹ Kirk Rimmer appeared for plaintiffs. Defendants Michael and Renate DeMartini appeared in propria persona. Upon review of the documents in support and opposition, upon hearing the arguments of counsel and defendants, and good cause appearing therefor, THE COURT ORDERS AS FOLLOWS:

1. The motion to compel (ECF No. 120) is granted. No later than December 14, 2016, defendants shall provide a second amended initial disclosure that complies with Federal Rule of Civil Procedure 26(a)(1)(A). Specifically, defendants shall comply with the provisions of
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¹ At the hearing, plaintiffs’ counsel moved for a protective order regarding the attendance by defendants’ witness, Matthew DeMartini, at depositions taken in this action. The court orally granted the motion. Matthew De Martini shall be excluded from attendance at any depositions taken in this matter, other than his own deposition.

1 subsections (i) and (ii).² Defendants are cautioned that failure to comply with the order may
2 result in evidentiary sanctions.

3 2. No later than December 14, 2016, plaintiffs shall provide an itemization of the
4 attorneys' fees incurred in connection with the motion. Objection to the attorneys' fees shall be
5 filed no later than December 21, 2016. The matter of attorneys' fees shall thereafter stand
6 submitted.

7 3. The scheduling order is modified as follows:

8 a. Discovery shall be completed by February 22, 2017.

9 b. Expert disclosures shall be made no later than March 3, 2017.

10 c. Rebuttal expert disclosures shall be made no later than March 17, 2017.

11 d. Expert discovery shall be completed by April 19, 2017.

12 e. All pretrial motions, except motions to compel discovery, shall be completed by
13 June 7, 2017.

14 f. Pretrial conference is continued from April 7, 2017 to August 25, 2017 at 10:00
15 a.m. before the Honorable John A. Mendez.

16 g. Jury trial is continued from June 5, 2017 to October 23, 2017 at 9:00 a.m.
17 before the Honorable John A. Mendez.

18 Dated: December 8, 2016

19 
20 CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

21 4 demartini2722.oah

22 ² Federal Rule of Civil Procedure 26 (a)(1)(A) provides in relevant part that "a party must,
without awaiting a discovery request, provide to the other parties:

23 (i) the name and, if known, the address and telephone number of
24 each individual likely to have discoverable information--along with
25 the subjects of that information--that the disclosing party may use
to support its claims or defenses, unless the use would be solely for
impeachment;

26 (ii) a copy--or a description by category and location--of all
27 documents, electronically stored information, and tangible things
28 that the disclosing party has in its possession, custody, or control
and may use to support its claims or defenses, unless the use would
be solely for impeachment . . ."