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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF CALIFORNIA
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9 FEDERAL ENERGY REGULATORY
10 COMMISSION,
11 Plaintiff,
12 v.
13 ETRACOM LLC; and MICHAEL
14 ROSENBERG,
15 Defendants.
16

No. 2:16-cv-01945-SB

**ORDER GRANTING
STIPULATED DISCOVERY
SCHEDULE**

17 Before the Court is the parties' Stipulated Discovery Schedule, ECF No. 26.
18 The parties request that the Court set a discovery schedule pursuant to the
19 stipulated motion. The Court finds good cause to **grant** the motion.

20 Accordingly, **IT IS HEREBY ORDERED:**

21 1. The Parties' Stipulated Discovery Schedule, ECF No. 26, is **GRANTED**.
22 The court adopts the deadlines proposed by the parties in the Stipulated Discovery
23 Schedule, ECF No. 26.

24 **PROFESSIONALISM AND COURT-ASSISTED MEDIATION**

25 **2. Civility and Professional Conduct.** The lawyers are expected to practice
26 professionally and with civility in accordance with local and state rules regarding
27 professional conduct.

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ORDER GRANTING STIPULATED DISCOVERY SCHEDULE + 1

1 **3. Scheduling Order is Binding.** Rule 16(f) of the Federal Rules of Civil
2 Procedure provides for sanctions for failure to obey the Scheduling Order.

3 **4. Settlement Conference/Mediation.** The parties are encouraged to engage in
4 settlement negotiations as early as possible and should contact the Court if they
5 believe a settlement conference would be helpful.

6 **DISCOVERY DEADLINES**

7 **5. Initial Disclosures.** The parties shall disclose their Fed. R. Civ. P. 26(a)(1)
8 material within fourteen days of the entry of this Order. These initial disclosures
9 shall not be filed with the Court.

10 **6. Fact Discovery.**

11 **A. Fact Discovery Deadline.** Fact discovery shall commence immediately.
12 All pending discovery requests shall be deemed served as of the date of the
13 Court's Order. Responses shall be due within 60 days of the entry of this Order.
14 No response to any discovery request served in the first 60 days after entry of this
15 Order shall be due sooner than 60 days after service. All discovery shall be
16 completed within twelve months of the entry of this Order.

17 **B. Discovery Limitations.** The parties shall comply with Fed. R. Civ. P.
18 26(b)(1). No more than 30 requests for production and 30 requests for admission
19 (excluding those regarding the authenticity of documents) shall be served per side.

20 **C. Responses.** To be timely, discovery requests must be served sufficiently
21 in advance of the deadline to allow for timely response by the cutoff date.

22 **D. Necessity.** The parties shall file no discovery except as necessary to
23 support motions or objections.

24 **E. Discovery Conferences.** To avoid wasted time and expense, Counsel
25 may contact chambers to schedule a telephonic conference to obtain an expedited
26 ruling on discovery disputes. Prior to the conference, each party may submit to the
27 Court a one page summary explaining the discovery dispute.

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1 **7. Expert Discovery.**

2 **A. Initial Expert Disclosures.** Initial expert disclosures and reports shall be
3 disclosed within 45 days after the completing of fact discovery.

4 **B. Rebuttal Expert Reports.** Rebuttal expert reports shall be disclosed
5 within 45 days after initial expert disclosures.

6 **C. Expert Discovery.** Expert discovery ends within 30 days after disclosure
7 of rebuttal expert reports.

8 **DISPOSITIVE MOTION DEADLINES**

9 **8. Dispositive Motions.**

10 **A. Dispositive Motion Deadline.** All dispositive motions shall be filed and
11 served within 30 days after the close of expert discovery.

12 **B. Opposition.** Oppositions to dispositive motions shall be filed and served
13 within 30 days after a party files a dispositive motion.

14 **C. Replies.** Replies to dispositive motions shall be filed within 14 days after
15 a party files an opposition.

16 **9. Telephonic Scheduling Conference.** The parties have requested that the Court
17 conduct a scheduling conference after the close of expert discovery to schedule a
18 dispositive motion hearing, other motion hearing deadlines, a pretrial conference,
19 and trial date. A telephonic scheduling conference in this matter is **set for August**
20 **21, 2018 at 10:30 a.m.**

21 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
22 file this Order and provide copies to counsel.

23 **DATED** this 14th day of April, 2017.

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26 Stanley A. Bastian
27 United States District Judge
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