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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LARRY MAESTAS,

Plaintiff,

v.

WAL-MART STORES, INC.,

Defendant.

No. 2:16-cv-02597 KJM KJN

STATUS (PRETRIAL SCHEDULING) FOR  
CLASS CERTIFICATION

An initial scheduling conference was held in this case on April 7, 2017. Thomas Wheeler appeared for plaintiff; Eugene Hahm appeared for defendant.

Having reviewed the parties' Joint Status Report filed on March 17, 2016, and discussed a schedule for class certification with counsel at the hearing, the court makes the following orders:

I. SERVICE OF PROCESS

All named defendants have been served and no further service is permitted without leave of court, good cause having been shown.

II. ADDITIONAL PARTIES/AMENDMENTS/PLEADINGS

Plaintiff shall file an amended complaint within fourteen (14) days of the scheduling conference. Any further joinder of parties or amendments to pleadings is not permitted without leave of court, good cause having been shown. *See* Fed. R. Civ. P. 16(b); *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604 (9th Cir. 1992).

1 III. JURISDICTION/VENUE

2 Jurisdiction is predicated upon 28 U.S.C. § 1332(d)(2). Jurisdiction and venue are not  
3 disputed.

4 IV. DISCLOSURE OF EXPERT WITNESSES

5 The court sets the following schedule for experts in connection with Class Certification:

6 Initial Expert Disclosure: January 5, 2018

7 Completion of Opening Expert  
8 Witness Depositions: February 9, 2018

9 Rebuttal Expert Disclosure: February 16, 2018

10 Completion of Rebuttal Expert  
11 Witness Depositions: March 2, 2018

12 All Discovery Cut-Off: July 20, 2018

13 V. MOTION FOR CLASS CERTIFICATION

14 The court sets the following schedule for briefing and hearing on Class Certification:

15 Filing of Motion for Class Certification: January 19, 2018

16 Opposition to Motion for Class  
17 Certification: February 23, 2018

18 Reply in Support of Motion for Class  
19 Certification: March 9, 2018

20 Hearing on Motion for Class Certification: April 6, 2018

21 VI. SETTLEMENT CONFERENCE

22 The parties are agreeable to attending private mediation in this matter. Mediation shall  
23 occur by April 27, 2018, and the parties shall notify the court within seven days of completion of  
24 private mediation of the status of their settlement efforts.

25 VII. FURTHER SCHEDULING

26 All further scheduling dates will be set after the court's ruling on plaintiff's motion for  
27 class certification.

28 VIII. MODIFICATION OF STATUS (PRETRIAL SCHEDULING) ORDER

The parties are reminded that pursuant to Rule 16(b) of the Federal Rules of Civil  
Procedure, the Status (Pretrial Scheduling) Order shall not be modified except by leave of court

1 upon a showing of good cause. Agreement of the parties by stipulation alone does not constitute  
2 good cause. Except in extraordinary circumstances, unavailability of witnesses or counsel does  
3 not constitute good cause.

4 IX. OBJECTIONS TO STATUS (PRETRIAL SCHEDULING) ORDER

5 This Status Order will become final without further order of the court unless objections  
6 are filed within fourteen (14) *calendar* days of service of this Order.

7 IT IS SO ORDERED.

8 DATED: April 17, 2017

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12 UNITED STATES DISTRICT JUDGE  
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