

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LISA KHOURY,

 Plaintiff,

 v.

LIBERTY LIFE ASSURANCE
COMPNAV OF BOSTON, et al.,

 Defendants.

No. 2:17-cv-1431 KJM EFB

STATUS (PRETRIAL SCHEDULING)

ORDER

An initial scheduling conference was held in this case on September 28, 2017.
Brent Brehm appeared for plaintiff; Stacy Tucker appeared for defendants.

Having reviewed the parties’ Joint Status Report filed on September 21, 2017, and
discussed a schedule for the case 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.

/////
/////

1 II. ADDITIONAL PARTIES/AMENDMENTS/PLEADINGS

2 No further joinder of parties or amendments to pleadings is permitted without
3 leave of court, good cause having been shown. *See* Fed. R. Civ. P. 16(b); *Johnson v. Mammoth*
4 *Recreations, Inc.*, 975 F.2d 604 (9th Cir. 1992).

5 III. JURISDICTION/VENUE

6 Jurisdiction is predicated upon 28 U.S.C. § 1001. Jurisdiction and venue are not
7 disputed.

8 IV. DISCOVERY

9 Initial disclosures as required by Federal Rule of Civil Procedure 26(a) shall be
10 completed by **October 20, 2017**. All discovery, if allowed, shall be completed by **May 25, 2018**.
11 In this context, “completed” means that all discovery shall have been conducted so that all
12 depositions have been taken and any disputes relative to discovery shall have been resolved by
13 appropriate order if necessary and, where discovery has been ordered, the order has been obeyed.
14 All motions to compel discovery must be noticed on the magistrate judge’s calendar in
15 accordance with the local rules of this court. While the assigned magistrate judge reviews
16 proposed discovery phase protective orders, requests to seal or redact are decided by Judge
17 Mueller as discussed in more detail below. In addition, while the assigned magistrate judge
18 handles discovery motions, the magistrate judge cannot change the schedule set in this order,
19 except that the magistrate judge may modify a discovery cutoff to the extent such modification
20 does not have the effect of requiring a change to the balance of the schedule.

21 V. MOTION HEARING SCHEDULE

22 This matter will be decided by cross-motions for judgment under Rule 52 of the
23 Federal Rules of Civil Procedure, with briefing as set forth below:

- 24 - Opening Briefs: June 15, 2018
- 25 - Opposition Briefs: June 29, 2018
- 26 - Reply Brief: July 13, 2018
- 27 - Hearing on Cross Motions: Monday, July 30, 2018 at 10:00 a.m. in
28 Courtroom No. 3.

1 VI. SETTLEMENT CONFERENCE

2 The parties shall participate in private mediation, with all costs split equally
3 between the parties. On or before November 30, 2017, the parties shall inform the court, in
4 writing, of the status of the case. If the parties are unable to settle the case during private
5 mediation, they shall inform the court if they then request a court-convened settlement conference
6 or if not they shall propose a briefing schedule to facilitate the court's determination of the
7 applicable standard of review.

8 X. MODIFICATION OF STATUS (PRETRIAL SCHEDULING) ORDER

9 The parties are reminded that pursuant to Rule 16(b) of the Federal Rules of Civil
10 Procedure, the Status (Pretrial Scheduling) Order shall not be modified except by leave of court
11 upon a showing of good cause. Agreement of the parties by stipulation alone does not constitute
12 good cause. Except in extraordinary circumstances, unavailability of witnesses or counsel does
13 not constitute good cause.

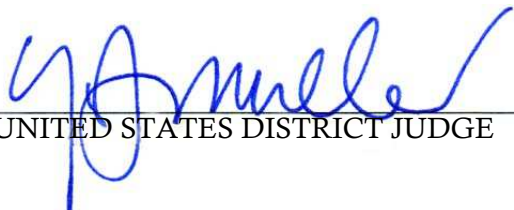
14 As noted, the assigned magistrate judge is authorized to modify only the discovery
15 dates shown above to the extent any such modification does not impact the balance of the
16 schedule of the case.

17 XIII. OBJECTIONS TO STATUS (PRETRIAL SCHEDULING) ORDER

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

20 IT IS SO ORDERED.

21 DATED: October 11, 2017.

22
23 
24 _____
25 UNITED STATES DISTRICT JUDGE
26
27
28