UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

ROGER DRIVER,

           Plaintiff,

    v.

PAPE KENWORTH et al.,

           Defendants.

No. 2:17-cv-01968-KJN

ORDER

On January 4, 2018, the assigned district judge issued an order vacating all dates then-scheduled in this action and reassigning this action to the undersigned for all purposes, including trial, based on the parties' statements of consent to the jurisdiction of a United States Magistrate Judge.  (ECF Nos.4, 11, 12.)[1]  No Status (Pre-trial Scheduling) Conference has yet occurred in this action, and no Scheduling Order is yet in place.

Accordingly, pursuant to Federal Rule of Civil Procedure 16 and Local Rule 240, IT IS HEREBY ORDERED that:

    1.      Within 28 days of this order, the parties shall meet and confer about the mandatory disclosures required by Federal Rule of Civil Procedure 26, if they have not already done so.

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[1] This action proceeds before the undersigned as a result of the parties' voluntary consent to the jurisdiction of a United States Magistrate Judge (ECF Nos. 11, 13).  See 28 U.S.C. § 636(c)(1); Fed. R. Civ. P. 73; E.D. Cal. Local Rule 301.

1    2.    A Status (Pre-trial Scheduling) Conference is set for **March 8, 2018, at 10:00**

2    **a.m., in Courtroom No. 25** before the undersigned.

3    3.    Not later than fourteen (14) days prior to the Status Conference, the parties shall

4    file status reports briefly describing the case and addressing the following:

5         a.    Service of process;

6         b.    Possible joinder of additional parties;

7         c.    Any expected or desired amendment of the pleadings;

8         d.    Jurisdiction and venue;

9         e.    Anticipated motions and their scheduling;

10        f.    The report required by Federal Rule of Civil Procedure 26 outlining the

11   proposed discovery plan and its scheduling, including disclosure of expert witnesses;

12        g.    Future proceedings, including setting appropriate cut-off dates for

13   discovery and law and motion, and the scheduling of a pretrial conference and trial;

14        h.    Special procedures, if any;

15        i.    Estimated trial time;

16        j.    Modifications of standard pretrial procedures due to the simplicity or

17   complexity of the proceedings;

18        k.    Whether the case is related to any other cases, including bankruptcy;

19        l.    Whether a settlement conference should be scheduled;

20        m.    Whether counsel will stipulate to the magistrate judge assigned to this

21   matter acting as settlement judge and waiving disqualification by virtue of his so acting, or

22   whether they prefer to have a settlement conference conducted before another judge; and

23        n.    Any other matters that may add to the just and expeditious disposition of

24   this matter.

25   4.    Failure to obey the Federal Rules of Civil Procedure, this court's Local Rules, or

26   an order of this court, may result in dismissal of the action or other appropriate sanctions.

27   5.    All parties and counsel are reminded of their continuing duty to notify chambers

28   immediately of any settlement or other disposition.  See E.D. Cal. Local Rule 160.  In addition,

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the parties are cautioned that pursuant to Local Rule 230(c), a written opposition to granting of a motion must be filed fourteen (14) days preceding the noticed hearing date. The Rule further provides that "[n]o party will be entitled to be heard in opposition to a motion at oral arguments if written opposition to the motion has not been timely filed by that party." Moreover, Local Rule 230(i) provides that failure to appear may be deemed withdrawal of opposition to the motion or may result in sanctions. Finally, Local Rule 110 provides that failure to comply with the Local Rules "may be grounds for imposition of any and all sanctions authorized by statute or Rule or within the inherent power of the Court."

IT IS SO ORDERED.

Dated: January 12, 2018

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

14/17-1968.driver.Order Setting Status (Pre-trial Scheduling) Conference