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United States District Court  
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
EUREKA DIVISION

DERRICK CLARK, et al.,	No. C 96-1486 CRB (NJV)
Plaintiff,	SCHEDULING ORDER
STATE OF CALIFORNIA et al.,	Action filed: April 22, 1996
Defendants.	

On November 6, 2009, the parties, through their counsel, met in chambers with the court to discuss various case management and discovery issues. After full consideration of the parties' respective positions, and good cause appearing:

The following schedule for certain discovery shall be followed:

1. Plaintiffs shall file a motion to quash defendants' deposition notices of persons most knowledgeable on or before November 17, 2009. Defendants opposition brief is due on or before November 23, 2009.
2. The court will hold a telephonic discovery conference on November 24, 2009 regarding document production and interrogatory responses. Deputy Attorney Julianne Mossler shall make the conference arrangements.
3. The cut-off date for production of documents and interrogatory responses shall be December 1, 2009. The production of documents from prisoners' central files is excluded from the Order as it has not yet been resolved (see paragraph 8, below).

1 4. The parties shall designate any expert witnesses for the hearing before Judge Breyer by  
2 December 15, 2009.

3 The following schedule for expert tours shall be followed:

4 5. Plaintiffs shall inform defendants and Dr. Leone of any additional tour requests by  
5 December 1, 2009.

6 6. Dr. Leone shall complete all prison tours by February 1, 2010.

7 7. Dr. Leone shall produce his report to both parties by February 15, 2010.

8 8. The parties shall attempt to resolve their dispute over production of central file  
9 documents. If they cannot resolve it, they shall so inform the court.

10 9. Defendants shall inform plaintiffs whether the plaintiffs' noticed deposition dates are  
11 acceptable. The parties shall negotiate mutually acceptable dates. The parties shall attempt to  
12 resolve any disputes over additional depositions. If they cannot resolve such disputes, they shall so  
13 inform the court.

14 10. The current hearing date in this matter is VACATED.

15 11. The parties shall reschedule the hearing date in this matter with Judge Breyer at the  
16 January 12, 2010 case management conference. The parties shall inquire of Judge Breyer as to his  
17 preference on hearing prisoner witnesses in person, by video conference or by videotaped  
18 deposition.

19 12. This Order does not include all discovery and pre-evidentiary hearing deadlines. The  
20 court will confer with the parties regarding additional deadlines, including for expert discovery and  
21 pre-evidentiary hearing filings, including expert reports, expert depositions, expert rebuttal reports,  
22 witness lists, and other pre-evidentiary hearing filings.

23 SO ORDERED:

24 Dated: November 23, 2009



NANDOR J. VADAS  
United States Magistrate Judge

**United States District Court**  
For the Northern District of California

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