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

Esparza,

No. CV09-00449 JSW

Plaintiff,

**ORDER SCHEDULING TRIAL AND
PRETRIAL MATTERS**

v.

United States Department of Agriculture,

Defendant.

_____ /

Following the Case Management Conference, IT IS HEREBY ORDERED that the Case Management Statement is adopted, except as expressly modified by this Order. It is further ORDERED that:

A. DATES

- Jury Trial Date: 10/18/2010, at 8:00 a.m.,
- Pretrial Conference: Monday, 9/13/2010, at 2:00 p.m.
- Last Day to Hear Dispositive Motions: Friday, 7/16/2010, 9:00 a.m.
- Last Day for Expert Discovery: 5/31/2010
- Last Day for Expert Disclosure: 4/30/2010
- Close of Non-expert Discovery: 4/30/2010
- Further Case Management Conference: 11/6/2009, 1:30 p.m.
- Joint Case Management Statement due: 10/30/2009

B. DISCOVERY

The parties are reminded that a failure voluntarily to disclose information pursuant to Federal Rule of Civil Procedure 26(a) or to supplement disclosures or discovery responses pursuant to Rule 26(e) may result in exclusionary sanctions. Thirty days prior to the close of

United States District Court
For the Northern District of California

1 non-expert discovery, lead counsel for each party shall serve and file a certification that all
2 supplementation has been completed.

3 **C. ALTERNATIVE DISPUTE RESOLUTION**

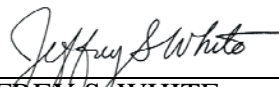
4 This matter is referred to court-connected mediation, to be conducted by October 2,
5 2009, if possible. The parties shall promptly notify the Court whether the case is resolved at the
6 mediation.

7 **D. PROCEDURE FOR AMENDING THIS ORDER**

8 No provision of this order may be changed except by written order of this court upon its
9 own motion or upon motion of one or more parties made pursuant to Civil. L. R. 7-1 or 7-1-(b)
10 without a showing of very good cause. If the modification sought is an extension of a deadline
11 contained herein, the motion must be brought before expiration of that deadline. The parties
12 may not modify the pretrial schedule by stipulation. A conflict with a court date set after the
13 date of this order does not constitute good cause. The parties are advised that if they stipulate to
14 a change in the discovery schedule, they do so at their own risk. The only discovery schedule
15 that the Court will enforce is the one set in this order. Additionally, briefing schedules that are
16 specifically set by the court may not be altered by stipulation; rather the parties must obtain
17 leave of Court.

18 **IT IS SO ORDERED.**

19 Dated: August 4, 2009

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22 JEFFREY S. WHITE
23 UNITED STATES DISTRICT JUDGE
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