

For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

JOHN R. MONTEMAYER,

No. C 12-03292 RS

Plaintiff,

**CASE MANAGEMENT  
SCHEDULING ORDER**

v.

HD SUPPLY MANAGEMENT, INC and  
DOES 1-100,

Defendants.

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the parties attended a Case Management Conference on January 31, 2013. After considering the Joint Case Management Statement submitted by the parties and consulting with the attorneys of record for the parties and good cause appearing, IT IS HEREBY ORDERED THAT:

1. ALTERNATIVE DISPUTE RESOLUTION.

PRIVATE MEDIATION. The parties have agreed to participate in private mediation within the next ninety (90) days, if possible.

2. DISCOVERY.

On or before July 27, 2013 all non-expert discovery shall be completed by the parties. Discovery shall be limited as follows: (a) ten (10) non-expert depositions per party; (b) thirty-five (35) interrogatories per party, including all discrete subparts; (c) thirty-five (35) requests for

1 production of documents or for inspection per party; (d) thirty-five (35) requests for admission  
2 per party; (e) five (5) expert depositions; and (f) two (2) independent medical exams by  
3 defendant.

4 3. DISCOVERY DISPUTES.

5 Discovery disputes will be referred to a Magistrate Judge. After the parties have met and  
6 conferred, the parties shall prepare a joint letter of not more than 8 pages explaining the dispute.  
7 Up to 12 pages of attachments may be added. The joint letter must be electronically filed under  
8 the Civil Events category of "Motions and Related Filings >Motions--General > Discovery  
9 Letter Brief." The Magistrate Judge to whom the matter is assigned will advise the parties of  
10 how that Judge intends to proceed. The Magistrate Judge may issue a ruling, order more formal  
11 briefing, or set a telephone conference or a hearing. After a Magistrate Judge has been assigned,  
12 all further discovery matters shall be filed pursuant to that Judge's procedures.

13 4. EXPERT WITNESSES. The disclosure and discovery of expert witnesses shall  
14 proceed as follows:

15 A. On or before July 29, 2013, parties will designate experts in accordance with Federal  
16 Rule of Civil Procedure 26(a)(2).

17 B. On or before August 19, 2013, parties will designate their supplemental and rebuttal  
18 experts in accordance with Federal Rule of Civil Procedure 26(a)(2).

19 C. On or before September 12, 2013, all discovery of expert witnesses pursuant to  
20 Federal Rule of Civil Procedure 26(b)(4) shall be completed.

21 5. FURTHER CASE MANAGEMENT CONFERENCE. A Further Case  
22 Management Conference shall be held on **August 1, 2013 at 10:00 a.m.** in Courtroom 3, 17th  
23 Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. The  
24 parties shall file a Joint Case Management Statement at least one week prior to the Conference.

25 6. PRETRIAL MOTIONS. All pretrial motions must be filed and served pursuant to  
26 Civil Local Rule 7. All pretrial motions shall be heard no later than **October 17, 2013.**

27 CASE MANAGEMENT SCHEDULING ORDER  
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1           7.       PRETRIAL CONFERENCE. The final pretrial conference will be held on **May**  
2 **1, 2014 at 10:00 a.m.**, in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate  
3 Avenue, San Francisco, California. Each party or lead counsel who will try the case shall attend  
4 personally.

5           8.       TRIAL DATE. Trial shall commence on **May 12, 2014 at 9:00 a.m.**, in  
6 Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco,  
7 California.

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9           IT IS SO ORDERED.

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11 DATED: 1/31/13



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RICHARD SEEBORG  
United States District Judge

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CASE MANAGEMENT SCHEDULING ORDER