

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

CHRISTOPHER SURBEY,  
Plaintiff,

v.

PACIFIC GAS & ELECTRIC  
COMPANY, et al.,  
Defendants.

NO. C13-2402 TEH

**ORDER CONTINUING CASE  
MANAGEMENT CONFERENCE**

This matter is currently set for a case management conference (“CMC”) on August 18, 2014. On August 11, Defendants filed a request to continue the CMC to September 8 or September 15 based on lead trial counsel’s unavailability, even though it appears that other counsel could, and likely would, appear on Defendants’ behalf as scheduled. Indeed, at the last CMC, Defendants were represented by two attorneys who both appear to have been involved with this case from the outset. Plaintiff refused to agree to Defendants’ request to continue, despite previously requesting that the CMC be continued to October 6 to allow time for the parties to complete mediation.


Counsel’s failure to agree on something as simple as scheduling a CMC is troubling. It is especially so in this case because the Court has already admonished counsel for failing to act reasonably and further directed all counsel to read and adhere to the Court’s guidelines for professional conduct. *See* July 23, 2014 Order.

Despite counsel’s apparent determination to continue not to agree on anything, Plaintiff nonetheless has some optimism that this case can be resolved at mediation and without further litigation. Accordingly, the Court now continues the August 18, 2014 case management conference to **October 6, 2014, at 1:30 PM**. The parties shall file either a

1 notice of settlement or a joint case management conference statement on or before  
2 **September 29, 2014.**

3  
4 **IT IS SO ORDERED.**

5  
6 Dated: 08/15/14

  
\_\_\_\_\_  
THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT