

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MYRAH MARTINEZ, et al.,  
Plaintiffs,  
v.  
COUNTY OF SONOMA, et al.,  
Defendants.

Case No. 15-cv-01953-JST

**SCHEDULING ORDER**

The Court hereby sets the following case deadlines pursuant to Federal Rule of Civil Procedure 16 and Civil Local Rule 16-10:

Event	Deadline
Deadline to add parties or amend the pleadings	February 10, 2016
Further Case Management Conference	May 4, 2016
Plaintiffs' Motion for Class Certification	January 27, 2017
Opposition to Class Certification	February 24, 2017
Class Certification Reply	March 10, 2017

The Court will set a further Case Management Conference in its order regarding class certification. If the Court's order neglects to do this, the parties must request the setting of a further Case Management Conference within ten days of the issuance Court's class certification order.

1           The Court notes that no party has requested that fact discovery end, or that expert  
2 disclosures take place, prior to a decision on the issue of class certification. The Court therefore  
3 does not address those topics in this order.

4           The Defendants request that the Court initially limit bifurcate (or trifurcate) discovery, so  
5 that discovery would proceed initially only as to the issue of “absolute and qualified immunity.”  
6 ECF No. 31 at 5. Defendants also request that the Court allow the filing of a motion for summary  
7 judgment on the issue of immunity, and then another on the question of liability, before the Court  
8 reaches the question of class certification. Id. at 8.

9           The Court recognizes that “[w]here the defendant seeks qualified immunity, a ruling on  
10 that issue should be made early in the proceedings so that the costs and expenses of trial are  
11 avoided where the defense is dispositive.” Conner v. Heiman, 672 F.3d 1126, 1130-31 (9th Cir.  
12 2012) (quoting Saucier v. Katz, 533 U.S. 194, 200, 121 S.Ct. 2151, 150 L.Ed.2d 272 (2001),  
13 overruled in part on other grounds by \*1131 Pearson v. Callahan, 555 U.S. 223, 129 S.Ct. 808,  
14 172 L.Ed.2d 565 (2009)); Turner v. Craig, No. C 09-03652 SI, 2011 WL 2600648, at \*6 (N.D.  
15 Cal. June 30, 2011) aff’d, 510 F. App’x 587 (9th Cir. 2013). Accordingly, the Court will permit  
16 the Defendants to file a separate motion solely on the issue of immunity, which motion shall not  
17 count against the undersigned’s presumptive limit of one summary judgment motion. See  
18 Standing Order for All Civil Cases Before District Judge Jon S. Tigar at 2 (“Absent good cause,  
19 the Court will consider only one motion for summary judgment per party.”). That motion may be  
20 filed at any time that is at least 110 days before trial. The Court will not, however, bifurcate  
21 discovery.

22           Counsel may not modify these dates without leave of court. The parties shall comply with  
23 the Court’s standing orders, which are available at [cand.uscourts.gov/jstorders](http://cand.uscourts.gov/jstorders).

24           The parties must take all necessary steps to conduct discovery, compel discovery, hire  
25 counsel, retain experts, and manage their calendars so that they can complete discovery in a timely  
26 manner and appear at trial on the noticed and scheduled dates. All counsel must arrange their  
27 calendars to accommodate these dates, or arrange to substitute or associate in counsel who can.  
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Dates set by this Court should be regarded as firm. Requests for continuance are disfavored. The Court will not consider the pendency of settlement discussions as good cause to grant a continuance.

IT IS SO ORDERED.

Dated: January 27, 2016

  
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JON S. TIGAR  
United States District Judge