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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PERFORMANCE CONTRACTING, INC.,
Plaintiff,
v.
ENGINEERED WALL SYSTEMS, INC.,
Defendant.

Case No. [15-cv-05245-RS](#)

**CASE MANAGEMENT SCHEDULING
ORDER**

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the parties attended a Case Management Conference on April 7, 2016. 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.
MEDIATION. The parties will seek to engage in private mediation in the next 90 days.
- 2. DISCOVERY.

On or before March 31, 2017, 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) twenty-five (25) interrogatories per party, including all discrete subparts; (c) a reasonable number of requests for production of documents or for inspection per party; and (d) a reasonable number of requests for admission per party.

- 3. DISCOVERY DISPUTES.

Discovery disputes will be referred to a Magistrate Judge. After the parties have met and conferred, the parties shall prepare a joint letter of not more than 5 pages explaining the dispute. Up to 12 pages of attachments may be added. The joint letter must be electronically filed under the Civil Events category of "Motions and Related Filings > Motions--General > Discovery Letter

1 Brief.” The Magistrate Judge to whom the matter is assigned will advise the parties of how that
2 Judge intends to proceed. The Magistrate Judge may issue a ruling, order more formal briefing, or
3 set a telephone conference or a hearing. After a Magistrate Judge has been assigned, all further
4 discovery matters shall be filed pursuant to that Judge’s procedures.

5 4. EXPERT WITNESSES.

6 The disclosure and discovery of expert witnesses shall proceed as follows:

- 7 a. On or before March 3, 2017, parties will designate experts in accordance with
8 Federal Rule of Civil Procedure 26(a)(2).
- 9 b. On or before March 17, 2017, parties will designate their supplemental and rebuttal
10 experts in accordance with Federal Rule of Civil Procedure 26(a)(2).
- 11 c. On or before March 31, 2017, all discovery of expert witnesses pursuant to Federal
12 Rule of Civil Procedure 26(b)(4) shall be completed.

13 5. FURTHER CASE MANAGEMENT CONFERENCE.

14 A Further Case Management Conference shall be held on **April 6, 2017, at 10:00 a.m.** in
15 Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco,
16 California. The parties shall file a Joint Case Management Statement at least one week prior to the
17 Conference.

18 6. PRETRIAL MOTIONS.

19 All dispositive pretrial motions must be filed and served pursuant to Civil Local Rule 7.
20 Each party is limited to one motion for summary judgment absent leave of Court. All pretrial
21 motions shall be heard no later than May 4, 2017.

22 7. PRETRIAL CONFERENCE.

23 The final pretrial conference will be held on **June 22, 2017, at 10:00 a.m.**, in Courtroom
24 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California.
25 Each party or lead counsel who will try the case shall attend personally.

26 8. TRIAL DATE.

27 A jury trial shall commence on **July 10, 2017, at 9:00 a.m.**, in Courtroom 3, 17th Floor,
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United States Courthouse, 450 Golden Gate Avenue, San Francisco, California.

IT IS SO ORDERED.

Dated: April 7, 2016



RICHARD SEEBORG
United States District Judge