

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BONIFACIO CARRERA,)	Case No.: 09-CV-04839-LHK
)	
Plaintiff,)	ORDER DENYING STIPULATION TO
v.)	FILE AMENDED SCHEDULING
)	ORDER
THYSSEN KRUPP SAFEWAY, INC.)	
AND DOES 1-100, INCLUSIVE,)	(re: docket #18)
)	
Defendants.)	

Plaintiff filed his Complaint on May 13, 2009, and Defendant removed this action based on diversity jurisdiction on June 16, 2009. On December 9, 2009, the parties filed a joint status report, stating that initial disclosures should be completed by January 14, 2010 and recommending a discovery cut-off of November 30, 2010 and trial in March 2011. On December 16, 2009, the Honorable James Ware issued a scheduling order essentially adopting the parties' joint recommendation, with the following schedule:

Last Day to Disclose Expert Witnesses	September 27, 2010
Last Day to Offer Rebuttal Expert	November 11, 2010
Last Date to Serve and File Motion to Exclude Expert Testimony	November 18, 2010
Close of All Discovery	November 29, 2010
Last Date for Hearing on Dispositive Motions	January 24, 2011
Preliminary Pretrial Conference Statements	October 15, 2010

Preliminary Pretrial Conference

October 25, 2010.

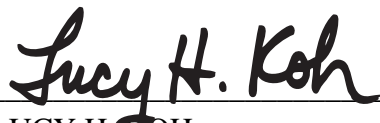
On September 22, 2010, just five days before the deadline to disclose expert witnesses, the parties submitted a stipulation to file an amended scheduling order, seeking leave of the Court to push deadlines back four months, with close of discovery extended to March 14, 2011 and the last date for dispositive motions May 13, 2011.

The parties have not complied with Civil Local Rule 6-2, which at a minimum requires that the reasons for a requested deadline modification be set forth with particularity. Accordingly, the parties' request to file an amended scheduling order is DENIED WITHOUT PREJUDICE.

A Case Management Conference is set for Wednesday, October 13, 2010 at 2:00 p.m. The parties shall file a Joint Case Management Statement by Wednesday, October 6, 2010, which should include the information requested in this Court's August 2, 2010 Reassignment Order, e.g., any requested modification of deadlines in place before reassignment and the reasons for the request. That Joint Case Management Statement should also include, pursuant to the Standing Order for All Judges in the Northern District of California, a statement of whether Plaintiff consents or declines to proceed before a United States Magistrate Judge for all purposes. Counsel for Defendants filed a consent to proceed before a United States Magistrate Judge for all purposes on June 29, 2009.

IT IS SO ORDERED.

Dated: September 27, 2010



LUCY H. KOH
United States District Judge