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**\*E-Filed 5/6/10\***

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

SERGIO BALLIVIAN,

No. C 10-00309 RS

Plaintiff,

v.

**CASE MANAGEMENT  
SCHEDULING ORDER**

MOUNTAIN TRAVEL,

Defendant.

\_\_\_\_\_ /

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, a Case Management Conference was held on May 05, 2010. After considering the Joint Case Management Statement submitted by the parties and good cause appearing, IT IS HEREBY ORDERED THAT:

1. ALTERNATIVE DISPUTE RESOLUTION.

This matter is referred to a Magistrate Judge in San Francisco for a settlement conference, to be completed, the assigned judge's schedule permitting, no later than ninety (90) days from the entry of this order.

2. DISCOVERY.

1 On or before May 16, 2011, all non-expert discovery shall be completed by the parties.  
2 Discovery shall be limited as follows: (a) ten (10) non-expert depositions per party; (b)  
3 twenty-five (25) interrogatories per party, including all discrete subparts; (c) a reasonable  
4 number of requests for production of documents or for inspection per party; and (d) a  
5 reasonable number of requests for admission per party.

6 3. EXPERT WITNESSES. The disclosure and discovery of expert witness opinions shall  
7 proceed as follows:

8 A. On or before April 18, 2011, plaintiff shall disclose expert testimony and reports in  
9 accordance with Federal Rule of Civil Procedure 26(a)(2).

10 B. On or before May 02, 2011, defendant shall disclose expert testimony and reports in  
11 accordance with Federal Rule of Civil Procedure 26(a)(2).

12 C. On or before May, 16, 2011, all discovery of expert witnesses pursuant to Federal Rule of  
13 Civil Procedure 26(b)(4) shall be completed.

14 4. FURTHER CASE MANAGEMENT CONFERENCE. A Further Case Management  
15 Conference shall be held on **June 02, 2011 at 10:00 a.m.** in Courtroom 3, 17th Floor, United  
16 States Courthouse, 450 Golden Gate Avenue, San Francisco, California. The parties shall file a  
17 Joint Case Management Statement at least one week prior to the Conference.

18 5. PRETRIAL MOTIONS. All pretrial motions must be filed and served pursuant to Civil  
19 Local Rule 7. All pretrial motions shall be **heard** no later than June 16, 2011.

20 6. PRETRIAL STATEMENTS. At a time convenient to both, counsel shall meet and  
21 confer to discuss preparation of a joint pretrial statement, and on or before July 21, 2011,  
22 counsel shall file a Joint Pretrial Statement.

23 7. PRETRIAL CONFERENCE. The final pretrial conference will be held on **August 04,**  
24 **2011, at 10:00 a.m.,** in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate  
25 Avenue, San Francisco, California. Each party or lead counsel who will try the case shall  
26 attend personally.

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8. TRIAL DATE. Jury trial shall commence on **August 15, 2011, at 9:00 a.m.**, in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California.

**IT IS SO ORDERED.**

Dated: 5/6/10



RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE