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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

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11 MINERVA CHAVEZ,

12 Plaintiff,

13 v.

14 UNITED STATES OF AMERICA;  
15 COMMISSARY, DEPARTMENT OF  
16 THE NAVY; and MALU BARLETT,

17 Defendants.

Case No.: 16cv2099-H(KSC)

**AMENDED SCHEDULING ORDER  
REGULATING DISCOVERY AND  
OTHER PRE-TRIAL  
PROCEEDINGS**

**ORDER GRANTING EX PARTE  
MOTION TO EXTEND FACT  
DISCOVERY DEADLINE**

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20 Before the Court is defendant's Ex Parte Motion to Extend Fact Discovery to  
21 Conduct Cross Border Discovery and Continue Remaining Case Deadlines. [Doc. No.  
22 17.] Plaintiff has not opposed defendant's Ex Parte Motion. In the Ex Parte Motion,  
23 defendant seeks to extend the discovery deadline in the case for a period of seven (7)  
24 months in order to pursue key discovery in Mexico via a Letter of Request under the  
25 Hague Evidence Convention. Good cause appearing, IT IS HEREBY ORDERED:

26 1. Defendant's unopposed Ex Parte Motion is GRANTED.

27 2. All fact discovery shall be completed by all parties on or before June 15,

28 2018. "Completed" means that all discovery under Rules 30-36 of the Federal Rules of

1 Civil Procedure, and discovery subpoenas under Rule 45, must be initiated a sufficient  
2 period of time in advance of the cut-off date, so that it may be completed by the cut-off  
3 date, taking into account the times for service, notice and response as set forth in the  
4 Federal Rules of Civil Procedure. Counsel shall promptly and in good faith meet and  
5 confer with regard to all discovery disputes in compliance with Local Rule 26.1(a). The  
6 Court expects counsel to make every effort to resolve all disputes without court  
7 intervention through the meet and confer process. All discovery motions must be filed  
8 within 45 days of the service of an objection, answer, or response which become the  
9 subject of dispute, or the passage of a discovery due date without response or production,  
10 and only after counsel have met and conferred and have reached an impasse with regard  
11 to the particular issue. For oral discovery, the event giving rise to the dispute is the  
12 completion of the transcript of the affected portion of the deposition. In any case, the  
13 event giving rise to a discovery dispute is not the date on which counsel reach an impasse  
14 in meet and confer efforts. If the discovery dispute concerns written discovery requests,  
15 the parties shall submit a joint statement entitled, "Joint Motion for Determination of  
16 Discovery Dispute" with the Court. (For further information on resolving discovery  
17 disputes, see Judge Crawford's "Chambers' Rules" which are accessible via the Court's  
18 website at [www.casd.uscourts.gov](http://www.casd.uscourts.gov).) A failure to comply in this regard will result in a  
19 waiver of a party's discovery issue. Absent an order of the Court, no stipulation  
20 continuing or altering this requirement will be recognized by the Court.

21 3. The parties shall designate their respective experts in writing by **July 16,**  
22 **2018.** The parties must identify any person who may be used at trial to present evidence  
23 pursuant to Rules 702, 703 or 705 of the Fed. R. Evid. This requirement is not limited to  
24 retained experts. The date for exchange of rebuttal experts shall be on or before **July 30,**  
25 **2018.** The written designations shall include the name, address and telephone number of  
26 the expert and a reasonable summary of the testimony the expert is expected to provide.  
27 The list shall also include the normal rates the expert charges for deposition and trial  
28 testimony.

1           4.     On or before August 31, 2018, each party shall comply with the disclosure  
2 provisions in Rule 26(a)(2)(B) and Rule 26(a)(2)(C) of the Federal Rules of Civil  
3 Procedure.

4           5.     Any party shall supplement its disclosure regarding contradictory or rebuttal  
5 evidence under Rule 26(a)(2)(D) on or before September 14, 2018.

6           6.     All expert discovery shall be completed by all parties on or before  
7 October 15, 2018. The parties shall comply with the same procedures set forth in the  
8 paragraph governing fact discovery.

9           7.     Please be advised that failure to comply with discovery deadlines or any  
10 other discovery order of the Court may result in the sanctions provided for in Federal  
11 Rule of Civil Procedure 37, including a prohibition on the introduction of experts or other  
12 designated matters in evidence.

13           8.     A Mandatory Settlement Conference shall be conducted on October 31,  
14 2018 at 9:30 a.m. in the chambers of Magistrate Judge Karen S. Crawford, United States  
15 Courthouse, 333 West Broadway, Suite 1010, San Diego, California 92101. Counsel or  
16 any party representing himself or herself shall submit confidential settlement briefs  
17 directly to chambers no later than October 24, 2018. All parties are ordered to read and  
18 to fully comply with the settlement conference procedures set forth in Judge Crawford's  
19 Chambers Rules which are accessible via the Court's website at [www.casd.uscourts.gov](http://www.casd.uscourts.gov).

20           9.     All other pretrial motions must be filed **so as to be heard** on or before  
21 November 19, 2018. Counsel for the moving party must obtain a motion hearing date  
22 from the law clerk of the District Judge who will hear the motion. The period of time  
23 between the date you request a hearing for your motion and the hearing date set by the  
24 law clerk may vary from one District Judge to another. Please plan accordingly. Failure  
25 to make a timely request for a motion date may result in the motion not being heard.

26           10.    Counsel shall file their Memoranda of Contentions of Fact and Law and take  
27 any other action required by Local Rule 16.1(f)(2) on or before January 7, 2019.

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1           11. Counsel shall comply with the pre-trial disclosure requirements of Federal  
2 Rule of Civil Procedure 26(a)(3) on or before January 7, 2019. Failure to comply with  
3 these disclosure requirements could result in evidence preclusion or other sanctions under  
4 Federal Rule of Civil Procedure 37.

5           12. Counsel shall meet and take the action required by Local Rule 16.1(f)(4) on  
6 or before January 14, 2019. At this meeting, counsel shall discuss and attempt to enter  
7 into stipulations and agreements resulting in simplification of the triable issues. Counsel  
8 shall exchange copies and/or display all exhibits other than those to be used for  
9 impeachment. The exhibits shall be prepared in accordance with Local Rule  
10 16.1(f)(4)(c). Counsel shall note any objections they have to any other parties' Pretrial  
11 Disclosures under Federal Rules of Civil Procedure 26(a)(3). Counsel shall cooperate in  
12 the preparation of the proposed pretrial conference order.

13           13. Counsel for plaintiff will be responsible for preparing the pretrial order and  
14 arranging the meetings of counsel pursuant to Civil Local Rule 16.1(f). On or before  
15 January 21, 2019, plaintiff's counsel must provide opposing counsel with the proposed  
16 pretrial order for review and approval. Opposing counsel must communicate promptly  
17 with plaintiff's attorney concerning any objections to form or content of the pretrial order,  
18 and both parties shall attempt promptly to resolve their differences, if any, concerning the  
19 order.

20           14. The Proposed Final Pretrial Conference Order, including objections to any  
21 other parties' Federal Rule 26(a)(3) Pretrial Disclosures shall be prepared, served and  
22 lodged with the assigned District Judge on or before January 28, 2019, and shall be in  
23 the form prescribed in and comply with Local Rule 16.1(f)(6).

24           15. The final Pretrial Conference is scheduled on the calendar of Judge Huff on  
25 February 4, 2019 at 10:30 a.m.

26           16. A post trial settlement conference before a Magistrate Judge may be held  
27 within 30 days of verdict in the case.

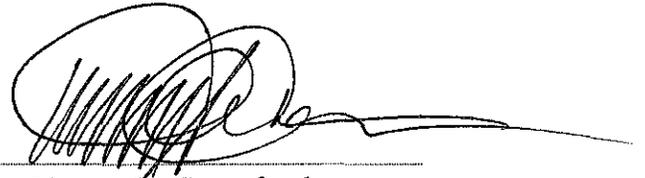
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1           17. The dates and times set forth herein will not be modified except for good  
2 cause shown.

3           18. Briefs or memoranda in support of or in opposition to any pending motion  
4 shall not exceed twenty-five (25) pages in length without leave of a District Court Judge.  
5 No reply memorandum shall exceed ten (10) pages without leave of a District Court  
6 Judge. Briefs and memoranda exceeding ten (10) pages in length shall have a table of  
7 contents and a table of authorities cited.

8           IT IS SO ORDERED.

9 Dated: November 22, 2017



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11           Hon. Karen S. Crawford  
12           United States Magistrate Judge  
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