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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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HAROLD D. HARDEN,

Plaintiff,

v.

C. MONNINGHOFF, et al.,

Defendants.

Case No. 2:14-cv-00377-APG-PAL

**SCHEDULING ORDER FOR  
CIVIL RIGHTS ACTIONS FILED BY  
INCARCERATED *PRO SE* PLAINTIFFS**

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure<sup>1</sup> and Local Rule (“LR”) 16-1, this Scheduling Order shall be filed and served upon the parties or their counsel, if there is counsel of record, when the first defendant answers or otherwise appears in this action. When the term “counsel” is used in this Scheduling Order, it shall include any parties appearing *pro se*.

**IT IS HEREBY ORDERED:**

1. Any and all pleadings that may be brought under Rules 13 and 14, or joining additional parties under Rules 19 and 20, shall be filed within **sixty (60) days** from the date of this Order, or by **September 14, 2015**. Any party causing additional parties to be joined or brought into this action shall contemporaneously therewith cause a copy of this Order to be served upon the new party or parties.

2. Amendments to pleadings as provided for under Rule 15, if the same are allowed without leave of court, or motions for leave to amend, shall comply with LR 15-1 and shall be filed and served within **sixty (60) days** from the date of this Order, or by **September 14, 2015**.

3. **DISCOVERY:** Pursuant to LR 16-1(b), discovery in this action shall be completed on or before **ninety (90) days** from the date of this Order, which is **October 12, 2015**. Pursuant to LR 26-8, unless otherwise ordered by the Court, **written discovery shall not be**

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<sup>1</sup> Any reference herein to “Rule” or “Rules” refers to the Federal Rules of Civil Procedure.

1 **filed with the Court.** The term “written discovery” includes, but is not limited to, requests for  
2 production of documents, requests for admissions, interrogatories, responses to written discovery  
3 requests, certificates of service pertaining to written discovery, and deposition transcripts.  
4 Written discovery requests and the responses thereto shall be served directly on the opposing  
5 party or parties.

6 4. Any discovery motions shall be filed and served no later than **one hundred five**  
7 **(105) days** from the date of this Order, which is **October 27, 2015.**

8 5. Pursuant to the authority given to the Court in Rule 16(b), motions for summary  
9 judgment under Rule 56 shall comply with the requirements of LR 56-1 and shall be filed and  
10 served no later than **thirty (30) days after the close of discovery**, or by **November 11, 2015.**

11 6. Any motion filed beyond the time limit fixed by this Scheduling Order shall be  
12 stricken, unless filed with leave of court, upon a showing of good cause and excusable neglect.

13 7. **EXTENSIONS:** Pursuant to LR 26-4, an extension of a deadline set out herein  
14 will not be allowed without a showing of good cause. All motions or stipulations to extend any  
15 deadline set herein must be received by the Court at least **twenty-one (21) days** prior to the  
16 expiration of the subject deadline(s). Any request to extend filed less than twenty-one (21) days  
17 prior to the expiration of the subject deadline must be supported by a showing of excusable  
18 neglect, in addition to good cause. All motions or stipulations to extend discovery deadlines  
19 shall include:

- 20 (a) A statement specifying the discovery completed by the parties of the date  
21 of the motion or stipulation;
- 22 (b) A specific description of the discovery which remains to be completed;
- 23 (c) The reasons why such remaining discovery was not completed within the  
24 time limit of the existing discovery deadline; and
- 25 (d) A proposed schedule for the completion of all remaining discovery.

26 8. In the event that the Federal Rules of Civil Procedure provide for any shorter time  
27 periods for the filing of motions or pleadings, said shorter time limits shall apply notwithstanding  
28 the time limits set forth in this Scheduling Order.


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9. **PRETRIAL ORDER:** Pursuant to LR 16-3(a), the Clerk shall issue a Pretrial Notice Order five (5) days past (i) the date for filing motions for summary judgment or (ii) the date all motions for summary judgment are denied, whichever is later.

10. In all cases where a party or counsel is required to effect service hereunder, a certificate of such service shall be filed forthwith with the Clerk of the Court.

11. Any party who desires an amendment to this Scheduling Order shall, within **sixty (60) days** hereof, or by **September 14, 2015**, file and serve a statement of proposed amendments and the reasons therefor. Each other party shall have **fifteen (15) days** within which to file and serve a response thereto. After expiration of the sixty-day (60) period, any amendment of this Scheduling Order shall be granted only upon motion and good cause shown.

Dated this 14th day of July, 2015.

  
PEGGY A. LEEN  
UNITED STATES MAGISTRATE JUDGE