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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

THOMAS DENTON,

Plaintiff,

v.

FRED FIGUEROGA et al.,

Defendants.

CASE NO. C10-1966-RJB-JRC

ORDER GRANTING A SIXTY-DAY  
EXTENSION OF TIME.

This 42 U.S.C. §1983 civil rights matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate Judges Rules MJR 1, MJR 3, and MJR 4. Defense Counsel for Corrections Corporation of America, asks that the Court extend the discovery and dispositive motion deadlines for sixty days (ECF No. 39). Counsel explains that defendants have discovery requests that plaintiff has not answered. A motion to compel discovery is noted for February 24, 2012 (ECF No. 40, 41). Plaintiff has not responded to the motion to extend time. The motion is GRANTED. A new scheduling order is in order:



1 of material fact -- that is, if there is no real dispute about any fact that would affect the  
2 result of your case, the party who asked for summary judgment is entitled to judgment as  
3 a matter of law, which will end your case. When a party you are suing makes a motion  
4 for summary judgment that is properly supported by declarations (or other sworn  
5 testimony), you cannot simply rely on what your complaint says. Instead, you must set  
6 out specific facts in declarations, deposition, answers to interrogatories, or authenticated  
documents, as provided in Rule 56(e), that contradict the facts shown in the defendant's  
declarations and documents and show that there is a genuine issue of material fact for  
trial. If you do not submit your own evidence in opposition, summary judgment, if  
appropriate, may be entered against you. If summary judgment is granted, your case will  
be dismissed and there will be no trial.

7 Rand v. Rowland, 154 F.3d 952, 962-963 (9th Cir. 1998).

8 Joint Status Report

9 Counsel and pro se parties are directed to confer and provide the court with a joint status  
10 report by no later than September 28, 2012. The joint status report shall contain the following  
11 information by corresponding paragraph numbers:

- 12 1. A short and concise statement of the case, including the remaining legal and  
13 factual issues to be determined at trial;
- 14 2. A narrative written statement from each party setting forth the facts that will be  
15 offered by oral or written documentary evidence at trial;
- 16 3. A list of all exhibits to be offered into evidence at trial;
- 17 4. A list of the names and addresses of all the witnesses each party intends to call  
18 along with a short summary of anticipated testimony of each witness.
- 19 5. Whether the parties agree to arbitration or mediation under this district's  
20 arbitration program, and if so whether the arbitration will be final and conclusive or the right to  
21 trial de novo will be preserved (see Local Rule CR 39.1(d));
- 22 6. Whether the case should be bifurcated by trying the liability issues before the  
23 damages issues, or specially managed in any other way;

- 1 7. Any other suggestions for shortening or simplifying the trial in this case;  
2 8. The date the case will be ready for trial, considering Local Rule CR 16 deadlines;  
3 9. The dates on which trial counsel are unavailable and any other complications to  
4 be considered in setting a trial date;  
5 10. Whether the trial will by jury or non-jury;  
6 11. The number of trial days required, and suggestions for shortening trial;  
7 12. The names, addresses, and telephone numbers of all trial counsel and  
8 unrepresented (pro se) parties who intend to appear at trial.

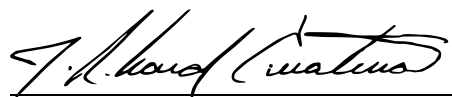
9 If the parties are unable to agree on any part of the report, they may answer in separate  
10 paragraphs. Separate reports are not to be filed. Plaintiff's counsel (or plaintiff, if pro se) will be  
11 responsible for initiating communications for the preparation of the joint status report.

12 Proof of Service & Sanctions

13 All motions, pretrial statements and other filings shall be accompanied by proof that such  
14 documents have been served upon counsel for the opposing party (or upon any party acting pro  
15 se). The proof shall show the day and manner of service and may be by written acknowledgment  
16 of service, by certificate of a member of the bar of this court, by affidavit of the person who  
17 served the papers, or by any other proof satisfactory to the court. Such proof of service shall  
18 accompany both the original and duplicates filed with the Clerk. Failure to comply with the  
19 provisions of this Order can result in dismissal/default judgment or other appropriate sanctions.

20 The Clerk of Court is directed to send a copy of this Order to plaintiff.

21 DATED this 9<sup>th</sup> day of February, 2012.

22 

23 J. Richard Creatura  
24 United States Magistrate Judge