UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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| \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*,  Plaintiff\*\*,  v.  \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*,  Defendant\*\*. | Case No.  JOINT SCHEDULING REPORT  DATE:  TIME: |

The goal of this case management report is to “secure the just, speedy, and inexpensive determination of” the action. *See* Fed. R. Civ. P. 1.

**A. Brief Summary of Factual and Legal Contentions**

**Joint Description of Action**

In a few sentences, describe the nature of the action and its complexity.

**Plaintiff’s Factual and Legal Contentions**

**Defendant’s Factual and Legal Contentions**

**B. Discovery Plan**

1. **Date and Attendees**

The parties must confer “as soon as practicable” and “in any event at least 21 days before a scheduling conference is to be held.” Fed. R. Civ. P. 26(f).

The parties conducted the planning conference on enter date. Enter names attended the conference.

1. **Deadlines and Dates**

The parties request these deadlines and dates:

|  |  |
| --- | --- |
| **Action or Event** | **Date** |
| Deadline for Mandatory Initial Disclosures. *See* Fed. R. Civ. P. 26(a)(1). | Enter a date. |
| Deadline to Join a Party, *see* Fed. R. Civ. P. 14, 19, and 20, or amend the pleadings, *see* Fed. R. Civ. P. 15(a). | Enter a date. |
| Mid-discovery Status Conference. *Should be scheduled mid-way through the discovery period.*  *Telephonic before Magistrate Judge Barch-Kuchta*  *Report is due at least 14 days before the telephonic conference. Parties must file a motion to cancel conference if not needed.* | Report Due:  Enter a date.  Conference:  Enter a date. |
| Deadline for Non-Expert Discovery and Filing Motion to Compel. *See* Fed. R. Civ. P. 37.  (Case specific or 9 months from scheduling conference date) | Enter a date. |
| Plaintiff’s Expert Disclosure Deadline. *See* Fed. R. Civ. P. 26(a)(2).  (Generally 30 days after non-expert discovery deadline) | Enter a date. |
| Defendant’s Expert Disclosing Deadline.  (Generally the same date as Plaintiff or no more than 14 days after non-expert discovery deadline) | Enter a date. |
| Rebuttal Expert Disclosure Deadline.  (Generally 30 days after initial expert disclosure) | Enter a date. |
| Expert Discovery Deadline.  (Generally 30 days after rebuttal expert report) | Enter a date. |
| Deadline for Moving for Class Certification (if applicable). *See* Fed. R. Civ. P. 23(c). | Enter a date. |
| Deadline for Dispositive Motion. *See* Fed. R. Civ. P. 56.  Generally 45 days after expert-discovery cut-off. | Enter a date. |
| Deadline to engage in settlement conference. *See* Local Rule 270, 271.  Enter preference for private mediation, VDRP or by magistrate judge. | Enter a date. |
| Deadline for filing the joint final pretrial statement, any motions in limine, proposed jury instructions, and verdict form. *See* Local Rule 281. (Must be at least 14 days **before** the final pretrial conference.) | Enter a date. |
| Date of the final pretrial conference. *See* Fed. R. Civ. P. 16(e); *See* Local Rule 282.  Judge Sherriff: (160 days after dispositive motion deadline) (The second or fourth Monday of the month—Tuesday if the Monday is a holiday—at 1:30 pm)  Judge Thurston: (160 days after dispositive motion deadline) (Mondays at 1:30 pm)  If consent, Judge Barch-Kuchta: (90 days after dispositive motion deadline) (Fridays at 9:00 am) | Enter a date. |
| Month, date, and year of the trial term.  (Generally, 6 weeks after pre-trial conference)  Judge Sherriff (Tuesdays at 8:30)  Judge Thurston (Tuesdays at 8:30)  Judge Barch-Kuchta (2 weeks after pretrial conference, Mondays at 8:30 am) | Enter a date. |

The trial will last approximately enter number days and be

jury.

non-jury.

1. **Disclosure Statement**

The parties have filed their disclosure statement as required by Federal Rule of Civil Procedure 7.1.

1. **Related Action**

The parties acknowledge their continuing duty under Local Rule 123 to notify the judge of a related action pending in the Eastern District or elsewhere by filing a “Notice of a Related Action.” No notice is required if there are no related actions as defined by the rule.

1. **Consent to a Magistrate Judge**

The duties of a United States Magistrate Judge in the Eastern District are set forth in Local Rule 300-304. With the parties’ consent, a District Judge can refer any civil matter to a magistrate judge for any or all proceedings, including a non-jury or jury trial. 28 U.S.C. § 636(c).

The Court asks the parties and counsel to consider the benefits to the parties and the Court for consenting to proceed before a magistrate judge. Consent can provide the parties certainty and flexibility in scheduling. **Consent is voluntary, and a party for any reason can decide not to consent and continue before the District Judge without adverse consequences.** *See* Fed. R. Civ. P. 73(b)(2).

The parties do consent and file with this case management report a completed Form AO 85 “Notice, Consent, and Reference of a Civil Action to a Magistrate Judge,” which is [available on the Court’s website](https://www.uscourts.gov/sites/default/files/ao085.pdf) under “Forms.”

The parties do not consent.

1. **Discovery Practice**

The parties confirm they will comply with their duty to confer with the opposing party in a good faith effort to resolve any discovery dispute before filing a motion. *See* Local Rule 251.

1. **Discovery Plan**
2. The parties agree to the timing, form, or requirement for disclosures under [Rule 26(a)](https://www.uscourts.gov/sites/default/files/federal_rules_of_civil_procedure_dec_1_2019_0.pdf):

Yes.

No; instead, the parties agree to these changes: enter changes.

1. The Discovery may be needed on these subjects: list the subjects.
2. Discovery should be conducted in phases:

No.

Yes; describe the suggested phases.

1. Are there issues about disclosure, discovery, or preservation of electronically stored information?

No.

Yes; describe the issue(s).

1. The parties have considered privilege and work-product issues, including whether to ask the Court to include any agreement in an order under Federal Rule of Evidence 502(d).
2. The parties stipulate to changes to the limitations on discovery imposed under the Federal Rules of Civil Procedure and the Court’s Local Rules or other limitations:

No.

Yes; describe the stipulation.

1. The parties anticipate the need for a Protective Order under Federal Rule of Civil Procedure 26(c) and Local Rule 141.1.

No.

Yes;

1. **Certification of familiarity with the Local Rules**

The parties certify that they have read and are familiar with the Court’s Local Rules.

1. **Signatures**

Add name of party or counsel Add name of party or counsel

If counsel, add name of client If counsel, add name of client

Add date of signature Add date of signature

Add name of party or counsel Add name of party or counsel

If counsel, add name of client If counsel, add name of client

Add date of signature Add date of signature

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If counsel, add name of client If counsel, add name of client

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