UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

|  |  |  |  |
| --- | --- | --- | --- |
| |  | | --- | | [name],  Choose an item.  v.  [name],  Choose an item. | | |  | | --- | | Case No.  [PROPOSED] SCHEDULING ORDER | |

Pursuant to Federal Rule of Civil Procedure 16, the Court adopts this order to facilitate the just, speedy, and inexpensive determination of this case. The Court will modify the deadlines set forth in this order only upon a showing of good cause. Fed. R. Civ. P. 16(b)(4).

# Proposed and Court Ordered Deadlines

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Matter** | **Date/ Time** | **Weeks before Trial** | **Plaintiff(s) Request** | **Defendant(s) Request** | **Courts Order** |
| Trial date (Court/Jury)  Length of trial - \_\_\_\_\_\_ days | 9:00 a.m.  (*Tuesday)* |  |  |  |  |
| Pretrial Conference, LR 16; Hearing on Motions in Limine | 1:00 p.m.  *(Tuesday*) | 3 |  |  |  |
| Court Trial  Lodge Findings of Fact and Conclusions of Law, LR 52, and Summaries of Direct Testimony |  | 3 |  |  |  |
| Jury Trial  Lodge Final Pretrial Conference Order, LR 16-7;  File Proposed and Disputed Jury Instructions and Verdict Forms |  | (See LR 16-7.1) |  |  |  |
| Jury Trial  File Memo of Contentions of Fact and Law, LR 16-4;  Exhibit and Witness Lists, LR 16-5, 16-6  File Status Report Regarding Settlement |  | 7 |  |  |  |
| Trial Brief, LR 16-10 |  | 1 |  |  |  |
| Last day to amend pleadings  (no later than the non-expert discovery cut-off) |  |  |  |  |  |
| Last date for Settlement Conference, LR 16-15 |  | 16 |  |  |  |
| Last date for hearing dispositive motions, LR 7 |  | 12 |  |  |  |
| Non-Expert Discovery cut-off |  |  |  |  |  |
| Expert Disclosure (Initial) |  |  |  |  |  |
| Expert Disclosure (Rebuttal) |  |  |  |  |  |
| Expert Discovery cut-off |  |  |  |  |  |

# Discovery Conduct

## Cutoff Date

No party may take discovery after the **Discovery Cutoff Date** without the Court’s prior approval, which it will grant only in exceptional circumstances and upon a showing of good cause.

## Availability of Discovery

“Parties may obtain discovery regarding any nonprivileged matter that is **relevant** to any party’s claim or defense **and** **proportional** to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties’ relative access to relevant information, the parties’ resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Information within this scope of discovery need not be admissible in evidence to be discoverable.” Fed. R. Civ. P. 26(b)(1) (emphasis added). *Pro se* litigants are entitled to discovery in civil rights actions to the same extent as litigants represented by counsel. Of course, the Court may order a complete or partial stay of discovery in appropriate circumstances, including when a defense of qualified immunity is raised.

## Oral Depositions

Any oral deposition must be scheduled to commence at least fourteen calendar days after service of the deposition notice.

# Motions

## Discovery Motions

The Court expects that the parties will resolve discovery problems among themselves whenever possible. Parties should carefully consult Judge Standish’s Procedures for filing a discovery motion (available at: <http://www.cacd.uscourts.gov/honorable-gail-j-standish>).

## Dispositive Motions

Any motions directed to the Court’s jurisdiction or to the merits of any claim or defense (such as a motion to dismiss or a motion for summary judgment) must be filed and served not later than the **Dispositive Motion Cutoff Date**. The regular Local Civil Rules governing the noticing and briefing of motions apply. *See* C.D. Cal. Local Civ. Rules 7, 56. Unless otherwise ordered, any opposition to the motion must be filed and served within twenty-one calendar days after service of the motion, and an optional reply may be filed within fourteen calendar days after service of the opposition. The Court will deem the motion submitted for decision based on the papers timely filed and without oral argument, unless otherwise ordered.

**The Court may deem the failure to file a timely opposition to a motion to constitute the non-movant’s consent to the granting of the relief sought.** *See* C.D. Cal. Local Civ. Rule 7-12.

# Status Report

Each party must file and serve a status report no later than the **Status Report Due Date**. The status report must contain the following information:

(a) a summary of the proceedings to date and a statement of the principal issues raised by the case;

(b) a statement informing the Court whether all parties have been served and, if not, a proposed deadline by which service will be completed;

(c) a statement informing the Court whether other parties will be added or amended pleadings will be filed and, if so, a proposed deadline by which those steps will be taken;

(d) a description of any discovery completed and a schedule for any future discovery;

(e) a list of contemplated motions, if any, along with proposed dates for the filing and hearing of such motions;

(f) an estimate of the time likely to be required for trial, and a statement as to whether trial by jury is desired and has been properly requested;

(g) a description of any settlement negotiations that have occurred, and a recommendation as to the form of settlement conference or other method of alternative dispute resolution that would be most appropriate given the nature of this case; and

(h) any suggestions the parties may wish to make regarding the management of this action.

The parties are strongly encouraged to file a joint status report, when feasible.

# Compliance with Rules

All parties, represented and unrepresented must comply with the Federal Rules of Civil Procedure, the Local Rules of this Court, Judge Standish’s Procedures, and this order unless this Court expressly excuses compliance.

**IT IS SO ORDERED.**

DATED: DATE \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

GAIL J. STANDISH

UNITED STATES MAGISTRATE JUDGE