UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

HERBERT HUBER,

Plaintiff,

v.

FISHER, et al.,

Defendants.

No. 2:25-cv-01311-DC-CKD (PS)

ORDER

Defendant has answered the complaint. Plaintiff's motion requesting trial by judge and summary judgment is also before the court. (ECF No. 17.) Because this case is now ready for a case schedule and is not ready to be set for trial, plaintiff's request will be denied without prejudice.

Within 30 days from the date of this order, the parties shall meet, in person or by telephone, as required by Federal Rule of Civil Procedure 26. Within 7 days after the parties' Rule 26 meeting, the parties shall file a Joint Status Report[1] for the purpose of the court's entry of a pretrial scheduling order. The joint status report shall address the relevant portions of Local Rule 240(a) as set forth below.

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[1] If the parties are unable to file a joint status report, they shall explain why and may file separate status reports.

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In accordance with the above, IT IS ORDERED as follows:

1. Plaintiff's motion requesting a judge trial and summary judgment (ECF No. 27) is DENIED without prejudice.

2. Within 30 days from the date of this order, the parties shall meet, in person or by telephone, as required by Federal Rule of Civil Procedure 26.

3. Within 7 days after the parties' Rule 26 discussion, the parties shall file a joint status report and any optional request for hearing before the Magistrate Judge for the purpose of entry of a pretrial scheduling order. The report shall address the following matters:

a. Service of process;

b. Possible joinder of additional parties;

c. Any expected or desired amendment of the pleadings;

d. Jurisdiction and venue;

e. Anticipated motions and their scheduling;

f. The report required by Federal Rule of Civil Procedure 26 outlining the proposed discovery plan and its scheduling, including disclosure of expert witnesses;

g. Future proceedings, including setting appropriate cut−off dates for discovery and law and motion, and the scheduling of a pretrial conference and trial;

h. Special procedures, if any;

i. Estimated trial time;

j. Modification of standard pretrial procedures specified by the rules due to the simplicity or complexity of the proceedings;

k. Whether the case is related to any other cases, including bankruptcy;

l. Whether a settlement conference should be scheduled before another Magistrate Judge;

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m. The parties' positions with respect to Voluntary Dispute Resolution (VDRP) under Local Rule 271(d); and

n. Any other matters that may add to the just and expeditious disposition of this matter.

Dated: 08/27/26

CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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