

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Frankie GREER,

Plaintiff,

v.

COUNTY OF SAN DIEGO, et al.,

Defendants.

Case No.: 19-cv-0378-GPC-AGS

**ORDER REQUIRING JOINT
DISCOVERY PLAN**

The parties are ordered to provide a Joint Discovery Plan by **June 16, 2020**. The Joint Discovery Plan must be filed on the CM/ECF system as well as lodged with Magistrate Judge Schopler by emailing the Plan to efile_schopler@casd.uscourts.gov. If the Plan with its attachments exceeds 20 pages, a courtesy paper copy of the Plan must be delivered to Judge Schopler's Chambers. Because defendants raised the issue of failure to exhaust, (*see* ECF No. 81, at 2), the Plan should offer a brief schedule to adjudicate that issue before moving on to general discovery. *See Albino v. Baca*, 747 F.3d 1162, 1170 (9th Cir. 2014) ("Exhaustion should be decided, if feasible, before reaching the merits of a prisoner's claim."). The Plan must identify whether and what good cause exists to modify the Court's **tentative** schedule of deadlines and limitations, which is as follows:

CASE MANAGEMENT SCHEDULE	
Event	Deadline
Joint Discovery Plan	June 16, 2020
Defense Counsel Receiving and Serving All Grievances on File at the Institution	July 17, 2020
Plaintiff's Deposition, not limited solely to issues of exhaustion	August 14, 2020
Any Motions Concerning Exhaustion or Requests for <i>Albino</i> Hearing	August 28, 2020
Motions to Amend	September 11, 2020
Expert Witness Designations and Disclosures	October 16, 2020
Rebuttal Expert Witness Designations and Disclosures	November 13, 2020
Fact Discovery Completion	December 11, 2021
Expert Discovery Completion	December 11, 2021
MSC Statements	January 15, 2021
Mandatory Settlement Conference	January 22, 2021, at 9:00 a.m.
Pretrial Motions	February 12, 2021
Rule 26(a)(3) Disclosures	May 14, 2021
Meet and Confer on the PTO	May 21, 2021
Draft PTO to Defense Counsel	May 28, 2021
Lodge PTO	June 4, 2021
Final Pretrial Conference	June 11, 2021, at 1:30 p.m.
DISCOVERY LIMITATIONS	
Discovery Type	Restriction (Per Side)
Depositions	No more than [6]
Requests for Admission	No more than [15]
Interrogatories	No more than [15]
Requests to Produce Documents	No more than [15]

1 Defense counsel is responsible for contacting plaintiff to prepare the joint discovery plan
2 and, should plaintiff be incarcerated at the relevant time, for ensuring plaintiff's
3 participation in any telephonic or in-person hearings.

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5 Dated: May 1, 2020

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7 Hon. Andrew G. Schopler
8 United States Magistrate Judge
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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

Frankie GREER,

Plaintiff(s)

Case No.: 19-cv-0378-GPC-AGS

v.

**NOTICE, CONSENT, AND
REFERENCE OF A CIVIL ACTION TO
A MAGISTRATE JUDGE**

COUNTY OF SAN DIEGO, et al.,

Defendant(s)

Notice of a magistrate judge's availability. A United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have your case referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case.

Consent to a magistrate judge's authority. The following parties ☐ Consent / ☐ Do Not Consent*

to have a United States magistrate judge conduct all proceedings in this case including trial, the entry of final judgment, and all post-trial proceedings.

*Printed Names**Signatures of all parties and counsel for all parties**Dates*

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

REFERENCE ORDER

IT IS ORDERED: This case is referred to United States Magistrate Judge Andrew G. Schopler, to conduct all proceedings and order entry of a final judgment in accordance with 28 U.S.C. § 636(c), Fed. R. Civ. P. 73, and CivLR 73.1.

 Date

 United States District Judge

* Pursuant to Civil Local Rule 73.1, **if (and only if) all parties have consented** to the reference to a magistrate judge, then Plaintiff shall file the consent form(s) in paper format at the Clerk's Office.