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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

EDWARD PERUTA, et al.,

Plaintiffs,

v.

COUNTY OF SAN DIEGO; et al.,

Defendants.

Civil No. 09CV2371-IEG (BGS)

**ORDER FOLLOWING EARLY
NEUTRAL EVALUATION
CONFERENCE, SETTING RULE 26
COMPLIANCE AND NOTICE OF
CASE MANAGEMENT
CONFERENCE**

On June 25, 2010, the Hon. Irma E. Gonzalez issued an order granting Plaintiff’s motion to amend the complaint. Plaintiff’s amended complaint was also filed on June 25, 2010. The amended complaint adds four individual plaintiffs, as well as the California Rifle and Pistol Association Foundation. (Doc. No. 25.) Prior to receiving Judge Gonzalez’s order, the parties filed a Joint Motion to amend the scheduling order due to the pending motion to amend the complaint. The parties also requested a new Case Management Conference in light of the potential new plaintiffs. (Doc. No. 22.)

Based thereon, IT IS HEREBY ORDERED:

1. Any objections made to initial disclosure pursuant to Federal Rule of Civil Procedure, Rule 26(a)(1)(A)-(D) are overruled, and the parties are ordered to proceed with the initial disclosure process. Any further objections to initial disclosure will be resolved as required by Rule 26.
2. The Rule 26(f) conference shall be completed on or before **July 9, 2010**;
3. The date of initial disclosure pursuant to Rule 26(a)(1)(A-D) shall occur before **July**

1 **23, 2010;**

2 4. A **Joint Discovery Plan** shall be lodged with Magistrate Judge Skomal by
3 delivering the plan directly to chambers or by emailing it to efile_skomal@casd.uscourts.gov, on or
4 before **July 28, 2010**. The plan must be one document and must explicitly cover the parties views and
5 proposals for each item identified in Fed.R.Civ.P. 26(f)(3). In addition, Judge Skomal requires the
6 discovery plan to identify:

- 7 i By name and/or title all witnesses that counsel plans to depose in the case
8 and a brief explanation as to why counsel wants to depose the witness. If
9 counsel do not agree to the deposition of a specific witness, counsel must
10 explain the legal basis for the objection;
- 11 ii Specific documents or categories of documents that counsel wants produced
12 during discovery. If counsel disagree about the production of documents or
13 categories of documents, all parties must fully explain the specific and valid
14 legal basis for their respective position. Follow the format for discovery
15 disputes as outlined in the Chambers' Rules;
- 16 iii What limited discovery may enable them to make a reasonable settlement
17 evaluation. E.g. deposition of plaintiff, defendant, or key witness, and
18 exchange of a few pertinent documents;
- 19 iv What issues in the case implicate expert evidence, including whether
20 counsel anticipates any issues under *Daubert v. Merrell Dow Pharm., Inc.*,
21 509 U.S. 579 (1993);
- 22 v Threshold legal issues that may be resolved by summary judgment or partial
23 summary judgment.
- 24 vi The procedure the parties plan to use regarding claims of privilege; and
- 25 vii Whether a protective order will be needed in the case.

26 5. A Case Management Conference, pursuant to Federal Rule of Civil Procedure 16(b)
27 shall be held on **August 6, 2010**, at **10:00 a.m.** The conference shall be telephonic, with attorneys
28 only. Counsel for Plaintiffs shall coordinate and initiate the conference call. When all call
participants are on the phone please call (619) 557-2993 to reach chambers.

Failure of any counsel or party to comply with this Order may result in the imposition of
sanctions.

DATED: June 28, 2010



BERNARD G. SKOMAL
United States Magistrate Judge