

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Roddy Mac v. EA Family Services

Mac v. EA Family Services · No. 2:24-cv-02702-DC-CSK · Decided April 11, 2025

SUMMARY

This document is a scheduling order issued in Mac v. EA Family Services, No. 2:24-cv-02702-DC-CSK, by the United States District Court for the Eastern District of California. It establishes discovery and motion deadlines, settlement-conference requirements, procedures for the final pretrial conference, and requirements for modifying the schedule.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Dena Coggins
DECIDED	April 11, 2025
DOCKET	2:24-cv-02702-DC-CSK
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued a scheduling order after conducting a Rule 16 scheduling conference in this civil action.
STANDARD OF REVIEW	A magistrate judge's discovery ruling may be modified by the district court only if the ruling is clearly erroneous or contrary to law.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Roddy Mac v. EA Family Services

TOPICS

- civil procedure
- discovery dispute
- joinder
- motion to amend
- mediation

PRACTICE AREAS

- civil procedure
- employment benefits
- ERISA

QUESTIONS PRESENTED

1. What case-management schedule and procedural requirements should govern the action under Federal Rule of Civil Procedure 16(b)?

2. What showing is required to obtain leave to amend the pleadings or modify the scheduling order after the applicable deadlines?
3. What procedures govern discovery disputes and review of discovery rulings by the assigned magistrate judge?

HOLDINGS

1. After entry of the scheduling order, joinder of additional parties, amendment of pleadings, and modification of the schedule require leave of court and a showing of good cause. A request to amend under Rule 15(a) must also avoid prejudice, undue delay, bad faith, and futility.
2. Discovery matters that do not implicate the case schedule are referred to the assigned magistrate judge, whose written discovery ruling is final subject to district-court modification only upon a showing that the ruling is clearly erroneous or contrary to law.

FACTUAL BACKGROUND

The case was pending in the Eastern District of California, and the named defendant had been served. The parties reported that they did not anticipate additional joinder or pleading amendments, had completed initial disclosures, and had no related litigation pending. The court established deadlines for fact and expert discovery, motions, settlement proceedings, and final pretrial proceedings.

PROCEDURAL HISTORY

The scheduling conference was conducted on April 11, 2025, with counsel appearing for both parties. The court entered a case schedule governing service, amendment and joinder, discovery, motions, settlement, pretrial proceedings, and modification of the schedule.

DISPOSITION

other

CASES CITED

- Johnson v. Mammoth Recreations, Inc., 975 F.2d 604 (9th Cir. 1992)
- Foman v. Davis, 371 U.S. 178, 182 (1962)

OPINION

Mac v. EA Family Services

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 RODDY MAC, No. 2:24-cv-02702-DC-CSK 12 Plaintiff,

13 v. SCHEDULING ORDER

14 EA FAMILY SERVICES,

15 Defendant. 16

17 This court conducted a scheduling conference on April 11, 2025. Attorney Nina Wasow 18
appeared on behalf of Plaintiff. Attorney David Norton appeared on behalf of Defendant. 19
Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the court issues this scheduling 20
order.

21 I. SERVICE OF PROCESS

22 The named defendant has been served as required by Federal Rule of Civil Procedure 5. 23 No
further service is permitted without leave of court, good cause having been shown under 24
Federal Rule of Civil Procedure 16(b).

25 II. JOINDER OF ADDITIONAL PARTIES / AMENDMENT OF PLEADINGS

26 The parties do not anticipate the joinder of additional parties or amendment of the 27 pleadings.
28 No further joinder of parties or amendments to pleadings is permitted without leave of 1 court,
good cause having been shown. See Fed. R. Civ. P. 16(b); Johnson v. Mammoth 2 Recreations,
Inc., 975 F.2d 27 604 (9th Cir. 1992). The parties are advised that the filing of 3 motions and/or
stipulations requesting leave to amend the pleadings does not imply good cause to 4 modify the
existing schedule. Fed. R. Civ. P. 16 (b)(4); see also Johnson, 975 F. 2d at 609. 5 Moreover, any
amendment requested under Federal Rule of Civil Procedure 15(a) must not be: 6 (1) prejudicial to
the opposing party; (2) the product of undue delay; (3) proposed in bad faith; or 7 (4) futile. See
Foman v. Davis, 371 U.S. 178, 182 (1962).

8 III. DISCOVERY PROCEDURES

9 Discovery matters that do not implicate the schedule of the case are referred to the 10 assigned
magistrate judge, who will hear all discovery disputes subject to his or her procedures. 11 (The
assigned magistrate judge's initials follow the district judge's initials next to the case 12 number.)
All discovery related filings must include the words "DISCOVERY MATTER" in the 13 caption
to ensure proper routing. Do not direct delivery of courtesy copies of these documents to 14 the
district judge. Counsel are directed to contact the magistrate judge's courtroom deputy clerk 15 to
schedule discovery matters for hearing. 16 All motions to compel discovery must be noticed on the
assigned magistrate judge's 17 calendar in accordance with the local rules of this court and the
magistrate judge's own 18 procedures. The written ruling of the assigned magistrate judge shall be
final, subject to 19 modification by the district court only where it has been shown that the
magistrate judge's order 20 is clearly erroneous or contrary to law. See 28 U.S.C. § 636(b)(1)(A).
Pursuant to Local Rule 303, 21 any party may file and serve a "Request for Reconsideration by the
District Court of Magistrate 22 Judge's Ruling." See L.R. 303(c). The requesting party must file
and serve any such request 23 within fourteen (14) days of service of a written ruling. L.R. 303(b).
The request must specify 24 which portions of the ruling are clearly erroneous or contrary to law
and the basis for that 25 contention with supporting points and authorities. L.R. 303(c). 26 In
addition, the assigned magistrate judge reviews proposed discovery phase protective 27 orders

sought by the parties pursuant to Local Rule 141.1. However, any requests to seal or redact in connection with trial or motions to be resolved by Judge Coggins must be directed to Judge 1 Coggins and comply with her Standing Order and Local Rules 140 and 141.

2 IV. DISCOVERY DEADLINES

3 A. Rule 26(a) Initial Disclosures 4 The parties confirmed at the scheduling conference that they have already made initial 5 disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1). 6 Any parties served or joined after the issuance of this scheduling order shall “make the 7 initial disclosures within 30 days after being served or joined,” as provided by Rule 26(a)(1)(D). 8 B. Fact Discovery 9 All fact discovery shall be completed¹ no later than January 26, 2026. 10 The parties do not propose any limitations or changes to the governing provisions of the 11 Federal Rules of Civil Procedure. 12 C. Expert Discovery 13 Disclosures of expert witnesses, if any, must be made pursuant to Federal Rule of Civil

14 Procedure 26(a)(2)(A), (B) and (C), and shall include all information required thereunder. Each 15 expert witness must be fully prepared to be examined on all subjects and opinions included in the 16 disclosures. Failure to comply with these requirements may result in the imposition of appropriate 17 sanctions, including the preclusion of the expert’s testimony, or of other evidence offered through 18 the expert. 19 The parties shall disclose initial experts and produce reports in accordance with Federal 20 Rule of Civil Procedure 26(a)(2) by no later than February 25, 2026. With regard to expert 21 testimony intended solely for rebuttal, those experts shall be disclosed and reports produced in 22 accordance with Federal Rule of Civil Procedure 26(a)(2) on or before March 27, 2026. 23 All expert discovery shall be completed no later than April 27, 2026. 24 1 As used herein, the word “completed” means that all discovery shall have been conducted so 25 that all depositions have been taken and any disputes relevant to discovery shall have been resolved by appropriate order if necessary and, where discovery has been ordered, the order has 26 been obeyed. The parties are advised that motions to compel must be filed in advance of the 27 discovery completion deadlines so that the court may grant effective relief within the allotted discovery time. A party’s failure to have a discovery dispute heard sufficiently in advance of the 28 discovery cutoff may result in denial of the motion as untimely.

1 V. MOTIONS

2 All motions, except motions for continuances, temporary restraining orders, or other 3 emergency applications, shall be filed on or before June 26, 2026 and shall be noticed for hearing 4 before Judge Coggins on a date not more than 60 days from the date the motion is filed and on a 5 date that is listed on Judge Coggins’s website as an available civil law and motion hearing date. 6 Counsel are directed to refer to the local rules regarding the requirements for noticing and 7 opposing such motions on the court’s regularly scheduled law and motion calendar. 8 Prior to filing a motion for summary judgment or motion for partial summary judgment 9 (summary adjudication), the parties are ordered to meet and confer, in person or by telephone, to 10 discuss the issues to be raised in the motion. In addition to complying with the requirements of 11 Local

Rule 260, the parties must prepare a Joint Statement of Undisputed Facts, which identifies 12 all relevant facts subject to agreement by all parties. The moving party is responsible for filing the 13 joint statement concurrently with the motion. In the notice of motion, the moving party shall 14 certify that the parties have met and conferred as ordered above or provide a statement of good 15 cause for the failure to do so. 16 The parties shall refer to Judge Coggins's Standing Order for her procedures with regard 17 to the filing of cross-motions for summary judgment and related briefing.

18 VI. SETTLEMENT CONFERENCE

19 The undersigned requires parties to participate in a court-supervised settlement conference 20 with a settlement judge before the action may proceed to trial. A settlement conference has not 21 been set at this time. At any time before the final pretrial conference, the parties may file a joint 22 request that this action be referred to a settlement judge for the setting of a settlement conference. 23 If the parties have not participated in a court-supervised settlement conference by the time of the 24 final pretrial conference, the court will refer the action at that time to the assigned magistrate 25 judge for the setting of a settlement conference. The parties shall contact the designated 26 settlement conference judge's chambers to ascertain that judge's settlement conference 27 procedures, including the procedure for submitting confidential settlement statements, which shall 28 not be filed and will not otherwise be disclosed to the trial judge. 1 Unless otherwise permitted in advance by the court, the attorneys who will try the case 2 shall appear at the settlement conference. Pertinent evidence to be offered at trial, documents or 3 otherwise, should be brought to the settlement conference for presentation to the settlement judge. 4 Neither the settlement conference statements nor communications during the settlement 5 conference with the settlement judge can be used by either party in the trial of this case. 6 Absent permission from the court, in addition to counsel who will try the case being 7 present, the individual parties shall also be present, and in the case of corporate parties, 8 associations or other entities, and insurance carriers, a representative executive with unrestricted 9 authority to discuss, consider, propose and agree, or disagree, to any settlement proposal or offer 10 shall also be present. If for any reason the representative with unlimited authority cannot attend, 11 such a person must be available by phone or video throughout the conference. In other words, 12 having settlement authority "up to a certain amount" is not acceptable.

13 VII. FINAL PRETRIAL CONFERENCE

14 The court will not set a final pretrial conference date in this scheduling order. Instead, 15 upon resolution of any motions filed by the deadline set forth in Section V of this order, or upon 16 the expiration of that deadline if no such motions were filed, the court will set a date for a final 17 pretrial conference, which will be conducted in person in Courtroom 8. The court will not 18 entertain requests to conduct the final pretrial conference by Zoom. 19 The parties are directed to file a joint pretrial statement, carefully prepared and executed 20 by all counsel, that complies with the requirements of this Local Rule 281 and Judge Coggins's 21 Standing Order. Counsel shall

also email a copy of the joint pretrial statement in Word format to Judge Coggins's chambers at dcorders@caed.uscourts.gov. The parties' attention is directed to Local Rules 281 and 282. This court will insist upon strict compliance with these rules. At the final pretrial conference, the court will set a trial date and deadlines to file trial documents, including motions in limine, trial briefs, and proposed jury voir dire, instructions, and verdict forms (where applicable). In addition, at the final pretrial conference, the parties shall have a joint list of proposed trial dates that are within 60 to 120 days from the date of the final pretrial conference, and the parties shall be prepared to confirm a trial date.

VIII. REQUEST FOR BIFURCATION, APPOINTMENT OF SPECIAL MASTER, OR
OTHER TECHNIQUES TO SHORTEN TRIAL

The parties have not made any such requests at this time and do not anticipate any such requests.

IX. RELATED MATTERS PENDING

There is no related litigation.

X. OBJECTIONS AND MODIFICATIONS TO THE SCHEDULING ORDER

This case schedule will become final without further order of the court unless objections are filed within fourteen (14) days of the entry of this order. The schedule, once final, shall not be modified except by leave of court upon showing of good cause. The assigned magistrate judge is authorized to modify the discovery dates set forth in Section IV of this order, but only to the extent that any such modification does not impact the motions filing deadline set forth in Section V of this order. A stipulation or request by the parties to modify only the discovery deadlines shall therefore be directed to the assigned magistrate judge. The parties are reminded that pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, no stipulations extending scheduling requirements or modifying applicable rules are effective until and unless the court approves them. Agreement of the parties by stipulation alone does not constitute good cause. Any request or stipulation to modify this scheduling order must set forth: (1) the existing due date or hearing date as well as the discovery cutoff date, and the last date for filing motions; (2) whether there have been prior requests for extensions, and whether these were granted or denied by the court; and (3) specific, concrete reasons supporting good cause for granting of the extension. For example, if the reason for the requested extension is that it "will promote settlement," the requesting party or parties must indicate the status of ongoing negotiations, i.e., have written proposals been exchanged; is counsel in the process of reviewing a draft settlement agreement; has a mediator been selected.

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IT IS SO ORDERED. □

| Dated: _ April 11, 2025 RVI <—_ Dena Coggins United States District Judge
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