

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Brett Rapozo v. County of Sacramento

Rapozo · No. 2:25-cv-02881-DJC-CKD · Decided December 11, 2025

OPINION

Rapozo

PER CURIAM.

1 2 3 4 5 6

7 UNITED STATES DISTRICT COURT FOR THE

8 EASTERN DISTRICT OF CALIFORNIA

9 10 BRETT RAPOZO, Case No.: 2:25-cv-02881-DJC-CKD 11 Plaintiff,

12 v. SCHEDULING ORDER

13 COUNTY OF SACRAMENTO,

14 Defendant. 15

16 I. SERVICE OF PROCESS

17 The named [DEFENDANT/DEFENDANTS] been served as required by Federal 18 Rule of
Civil Procedure 5. No further service is permitted without leave of the Court, 19 good cause
having been shown under Federal Rule of Civil Procedure 16(b).

20 II. JOINDER OF ADDITIONAL PARTIES / AMENDMENT OF PLEADINGS

21 No further joinder of parties or amendments to pleadings is permitted without 22 leave of the
Court, good cause having been shown. See Fed. R. Civ. P. 16(b); Johnson 23 v. Mammoth
Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992).

24 III. DISCOVERY PROCEDURES

25 Discovery matters that do not implicate the schedule of the case or that do not 26 relate to
sealing or redaction of documents related to dispositive motions are referred 27 to the assigned
United States Magistrate Judge, who will hear all discovery disputes 28 subject to his or her
procedures. All discovery documents must include the words 1 “DISCOVERY MATTER” in the
caption to ensure proper routing. Do not direct delivery 2 of courtesy copies of these documents to
the District Judge. Counsel are directed to 3 review and comply with the case management
procedures of the assigned Magistrate 4 Judge when setting applicable discovery matters for
hearing. All motions to compel 5 discovery must be noticed on the assigned Magistrate Judge’s
calendar in 6 accordance with the local rules of this Court and the Magistrate Judge’s own 7
procedures. 8 The written ruling of the assigned Magistrate Judge shall be final, subject to 9
modification by the District Judge only where it has been shown that the Magistrate 10 Judge’s
order is clearly erroneous or contrary to law. See 28 U.S.C. § 636(b)(1)(A). 11 Pursuant to Local

Rule 303, any party may file and serve a “Request for 12 Reconsideration by the District Judge of Magistrate Judge’s Ruling.” See L.R. 303(c). 13 The requesting party must file and serve any such request within fourteen (14) days of 14 service of a written ruling. L.R. 303(b). The request must specify which portions of the 15 ruling are clearly erroneous or contrary to law and the basis for that contention with 16 supporting points and authorities. L.R. 303(c). 17 In addition, the assigned Magistrate Judge reviews proposed discovery phase 18 protective orders sought by the parties pursuant to Local Rule 141.1. However, 19 requests to seal or redact in connection with dispositive motions or trial are decided 20 by Judge Calabretta and any such requests must comply with Judge Calabretta’s 21 Standing Order and Local Rules 140 and 141.

22 IV. DISCOVERY DEADLINES

23 A. Rule 26(a) Initial Disclosures 24 If not already completed, all parties appearing shall make initial disclosures 25 pursuant to Federal Rule of Civil Procedure Rule 26(a)(1) within 14 days after the 26 parties’ Rule 26(f) conference. Any parties served or joined after the issuance of this 27 scheduling order shall “make the initial disclosures within 30 days after being served 28 or joined,” as provided by Rule 26(a)(1)(D). 1 B. Fact Discovery 2 All fact discovery shall be completed 1 no later than 9/4/2026. 3 C. Expert Discovery 4 The parties shall disclose initial experts and produce reports in accordance with 5 Federal Rule of Civil Procedure 26(a)(2) by no later than 10/2/2026. With regard to 6 expert testimony intended solely for rebuttal, those experts shall be disclosed and 7 reports produced in accordance with Federal Rule of Civil Procedure 26(a)(2) on or 8 before 10/30/2026. All expert discovery shall be completed no later than 9 11/27/2026. 10 Disclosures of expert witnesses, if any, must be made pursuant to Federal Rule 11 of Civil Procedure 26(a)(2)(A), (B) and (C), and shall include all information required 12 thereunder. Each expert witness must be fully prepared to be examined on all 13 subjects and opinions included in the disclosures. Failure to comply with these 14 requirements may result in the imposition of appropriate sanctions, including the 15 preclusion of the expert’s testimony, or of other evidence offered through the expert. 16 D. Joint Mid-Discovery Statement

17 By 4/17/2026, all parties shall file with the Court a brief Joint Mid-Discovery
18 Statement summarizing the current status of discovery proceedings. In this statement, 19 parties should state whether parties are actively engaged in discovery and identify any 20 issues preventing discovery from proceeding in a timely manner. The filing of this 21 statement shall not relieve the parties or counsel of their obligations to meet and 22 confer, comply the deadlines set by the court, and timely notice all appropriate 23 discovery motions. 24 //// 25 26 1 As used herein, the word “completed” means that all discovery shall have been conducted so that all depositions have been taken and any disputes relevant to discovery shall have been resolved by 27 appropriate order if necessary and, where discovery has been ordered, the order has been obeyed. The parties are advised that motions to compel must be filed in advance of the discovery completion 28 deadlines so that the Court may grant effective relief within the allotted discovery time. A party’s failure

1 V. MOTIONS

2 All dispositive motions, except motions for continuances, temporary restraining 3 orders, or other emergency applications, shall be filed on or before 2/5/2027 and 4 shall be noticed for hearing before Judge Calabretta on 4/1/2027 at 1:30 p.m. 5 Counsel are directed to refer to the local rules and Judge Calabretta's Standing Order 6 regarding the requirements for noticing and opposing such motions on the Court's 7 regularly scheduled law and motion calendar. 8 All moving and opposition briefs or legal memoranda in civil cases shall not 9 exceed twenty-five pages without prior leave of court. Reply briefs filed by moving 10 parties shall not exceed fifteen pages. The Court will grant an application to extend 11 these page limitations only after good cause shown. Pages that exceed the page 12 limitations without leave of court will not be considered. Finally, no supplemental 13 briefs or sur-replies shall be filed and will not be considered without prior leave of 14 court. 15 Prior to filing a motion for summary judgment or motion for partial summary 16 judgment (summary adjudication), the parties are ordered to meet and confer, in 17 person or by telephone, to discuss the issues to be raised in the motion as required by 18 Judge Calabretta's Standing Order. Failure to do so may result in denial of the 19 motion. Prior to filing a Motion for Summary Judgment, the moving party should meet 20 and confer with the non-moving party to determine whether there are undisputed 21 facts to which the parties can stipulate. Any such facts should be filed with the Motion 22 as a Joint Statement of Undisputed Facts. The moving party shall also include a 23 Separate Statement of Undisputed Facts with their motion for any facts that the 24 moving party believes to be undisputed but for which stipulation was not 25 possible. The nonmoving party shall reproduce and respond to the moving party's 26 Statement of Undisputed Facts. The nonmoving party may also file a concise 27 Statement of Disputed Facts. The moving party shall reproduce and respond to the 28 nonmoving party's Statement of Disputed Facts, but the moving party may not file a 1 reply to the nonmoving party's response to the Statement of Undisputed Facts. 2 In the notice of motion, the moving party shall certify that the parties have met 3 and conferred as ordered above or provide a statement of good cause for the failure 4 to do so. In addition to the above, when filing any motion, parties should reference 5 and ensure compliance with Judge Calabretta's Standing Order.

6 VI. SETTLEMENT CONFERENCE

7 No Settlement Conference is currently scheduled. If the parties wish to have a 8 settlement conference, one will be scheduled at the final pretrial conference or at an 9 earlier time upon request of the parties.

10 VII. FINAL PRETRIAL CONFERENCE

11 The final pretrial conference is set for 7/15/2027 at 1:30 p.m. in Courtroom 7 12 before District Court Judge Daniel J. Calabretta. Hearings may be conducted by 13 Zoom upon the joint request of all parties. 14 The parties are directed to file a joint pretrial statement that complies with the 15 requirements of Local Rule 281 and Judge Calabretta's Standing Order in Civil Cases 16 not less than seven (7) days prior to the Pretrial Conference. Counsel shall e-mail a 17 copy of the joint

pretrial statement in Word format to Judge Calabretta's chambers at 18
djccorders@caed.uscourts.gov immediately thereafter. 19 The parties' attention is directed to Local
Rules 281 and 282. This Court will 20 insist upon strict compliance with these rules. At the
pretrial conference, the Court will 21 set deadlines to file trial documents, including motions in
limine, trial briefs, and 22 proposed jury voir dire, instructions, and verdict forms (where
applicable).

23 VIII. JURY TRIAL

24 A jury trial is set for 9/13/2027 at 8:30 a.m. in Courtroom 7 before District 25 Court Judge
Daniel J. Calabretta. Trial is anticipated to last seven to ten (7-10) court 26 days.

27 IX. RELATED MATTERS PENDING

28 The parties have not alerted the court to any related litigation.

1 X. OBJECTIONS AND MODIFICATIONS TO THE SCHEDULING ORDER

2 This case schedule will become final without further order of the Court 3 unless objections are
filed within fourteen (14) days of the entry of this order. 4 The schedule, once final, shall not be
modified except by leave of the Court upon 5 showing of good cause. Counsel shall contact Judge
Calabretta's courtroom deputy, 6 Gabriel Michel, via e-mail at gmichel@caed.uscourts.gov, prior
to filing a stipulation 7 and proposed order to continue the dates set forth herein. 8 The parties are
reminded that pursuant to Rule 16(b) of the Federal Rules of 9 Civil Procedure, no stipulations
extending scheduling requirements or modifying 10 applicable rules are effective until and unless
the Court approves them. Agreement of 11 the parties by stipulation alone does not constitute
good cause. Counsel are 12 cautioned that requests or stipulations to continue dispositive motion
deadlines or 13 trial dates must establish good cause exists and are not granted lightly. 14 Any
request or stipulation to modify this scheduling order must set forth: 15 1. The existing due date or
hearing date as well as the discovery cutoff date, 16 the last date for hearing motions, the final
pretrial conference date, and the 17 trial date; 18 2. Whether there have been prior requests for
extensions, and whether these 19 were granted or denied by the Court; and 20 /// 21 /// 22 /// 23
/// 24 /// 25 /// 26 /// 27 /// 28 /// 1 3. Specific, concrete reasons supporting good cause for
granting of the 2 extension. For example, if the reason for the requested extension is that it 3 "will
promote settlement," the requesting party or parties must indicate the 4 status of ongoing
negotiations, e.g., that a mediator has been selected; 5 written proposals have been exchanged; a
draft settlement agreement is 6 being reviewed by counsel; etc. 7 IT IS SO ORDERED. 8 9 Dated:
December 10, 2025 /s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA

10

UNITED STATES DISTRICT JUDGE

11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

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rapozo-v-county-of-sacramento-bimx1ai0)