

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Mary Ann Margaret Anderson v. Wal-Mart Associates, Inc., et al.

Anderson · No. 2:25-cv-01916-DJC-CSK · Decided November 26, 2025

SUMMARY

This document is a scheduling order in Anderson v. Wal-Mart Associates, Inc., et al., pending in the United States District Court for the Eastern District of California. It establishes discovery, motion, pretrial, and trial deadlines, including a June 7, 2027 jury trial, and is signed by District Judge Daniel J. Calabretta.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Daniel J. Calabretta
DECIDED	November 26, 2025
DOCKET	2:25-cv-01916-DJC-CSK
DISPOSITION	other
PROCEDURAL POSTURE	The district court entered a scheduling order governing service, joinder and amendment, discovery, motion practice, pretrial proceedings, and trial.
STANDARD OF REVIEW	A magistrate judge's written ruling on referred discovery matters is subject to modification by the district judge only if it is clearly erroneous or contrary to law.
PRECEDENTIAL VALUE	nonprecedential case-management order

TOPICS

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

PRACTICE AREAS

- civil procedure
- employment law

QUESTIONS PRESENTED

1. What procedures and deadlines should govern service, joinder, amendment of pleadings, discovery, dispositive motions, pretrial proceedings, and trial?

2. What standard governs district-court review of referred discovery rulings by the assigned magistrate judge?
3. What showing and court approval are required to modify the scheduling order?

HOLDINGS

1. Further service, joinder of parties, or amendments to pleadings are not permitted without leave of court and a showing of good cause under Federal Rule of Civil Procedure 16(b).
2. A written ruling by the assigned magistrate judge on referred discovery matters may be modified by the district judge only upon a showing that the ruling is clearly erroneous or contrary to law.
3. The scheduling order may be modified only by leave of court upon a showing of good cause; party stipulation alone is ineffective without court approval.

KEY QUOTATIONS

“The schedule, once final, shall not be modified except by leave of the Court upon showing of good cause.”
(at 7)

“Agreement of the parties by stipulation alone does not constitute good cause.” (at 7)

FACTUAL BACKGROUND

The named defendants had been served, and the action was proceeding in the Eastern District of California. The court set deadlines for fact and expert discovery, dispositive motions, the final pretrial conference, and a jury trial. The order also established procedures for discovery disputes, amendments, joinder, and requests to modify the schedule.

PROCEDURAL HISTORY

The case was pending before the Eastern District of California, and the court entered a scheduling order after service of the named defendants. The order established discovery, dispositive-motion, pretrial, and trial deadlines and prescribed procedures for modifying the schedule.

DISPOSITION

other

CASES CITED

- Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992)

OPINION

1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT FOR THE 8 EASTERN DISTRICT OF
CALIFORNIA 9 10 MARY ANN MARGARET ANDERSON, Case No.: 2:25-cv-01916-DJC-
CSK 11 Plaintiff, 12 v. SCHEDULING ORDER 13 WAL-MART ASSOCIATES, INC., ET AL.,

14 Defendants. 15 16 I. SERVICE OF PROCESS 17 The named defendants have been served as required by Federal Rule of Civil 18 Procedure 5.

No further service is permitted without leave of the Court, good cause 19 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 completed¹ no later than 6/5/2026. 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 7/6/2026.

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 8/3/2026. All expert discovery shall be completed no later than 8/31/2026. 9 Disclosures of expert witnesses, if any, must be made pursuant to Federal Rule 10 of Civil Procedure 26(a)(2)(A), (B) and (C), and shall include all information required 11 thereunder.

Each expert witness must be fully prepared to be examined on all 12 subjects and opinions included in the disclosures. Failure to comply with these 13 requirements may result in the imposition of appropriate sanctions, including the 14 preclusion of the expert's testimony, or of other evidence offered through the expert. 15 D. Joint Mid-Discovery Statement 16 By 2/13/2026, all parties shall file with the Court a brief Joint Mid-Discovery 17 Statement summarizing the current status of discovery proceedings.

In this statement, 18 parties should state whether parties are actively engaged in discovery and identify any 19 issues preventing discovery from proceeding in a timely manner. The filing of this 20 statement shall not relieve the parties or counsel of their obligations to meet and 21 confer, comply the deadlines set by the court, and timely notice all appropriate 22 discovery motions.

23 //// 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 11/6/2026 and 4 shall be noticed for hearing before Judge Calabretta on 12/17/2026 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 /// 1 nonmoving party's Statement of Disputed Facts, but the moving party may not file a 2 reply to the nonmoving party's response to the Statement of Undisputed Facts. 3 In the notice of motion, the moving party shall certify that the parties have met 4 and conferred as ordered above or provide a statement of good cause for the failure 5 to do so.

In addition to the above, when filing any motion, parties should reference 6 and ensure compliance with Judge Calabretta's Standing Order. 7 VI. SETTLEMENT CONFERENCE 8 No Settlement Conference is currently scheduled. If the parties wish to have a 9 settlement conference, one will be scheduled at the final pretrial conference or at an 10 earlier time upon request of the parties.

11 VII. FINAL PRETRIAL CONFERENCE 12 The final pretrial conference is set for 4/8/2027 at 1:30 p.m. in Courtroom 7 13 before District Court Judge Daniel J. Calabretta. Hearings may be conducted by 14 Zoom upon the joint request of all parties. 15 The parties are directed to file a joint pretrial statement that complies with the 16 requirements of Local Rule 281 and Judge Calabretta's Standing Order in Civil Cases 17 not less than seven (7) days prior to the Pretrial Conference.

Counsel shall e-mail a 18 copy of the joint pretrial statement in Word format to Judge Calabretta's chambers at 19 djcorders@caed.uscourts.gov immediately thereafter. 20 The parties' attention is directed to Local Rules 281 and 282. This Court will 21 insist upon strict compliance with these rules. At the pretrial conference, the Court will 22 set deadlines to file trial documents, including motions in limine, trial briefs, and 23 proposed jury voir dire, instructions, and verdict forms (where applicable).

24 VIII. JURY TRIAL 25 A jury trial is set for 6/7/2027 at 8:30 a.m. in Courtroom 7 before District 26 Court Judge Daniel J. Calabretta. Trial is anticipated to last five to seven (5-7) court 27 days. 28 //// 1 IX. RELATED MATTERS PENDING 2 The parties have not alerted the court to any related litigation. 3 X. OBJECTIONS AND MODIFICATIONS TO THE SCHEDULING ORDER 4 This case schedule will become final without further order of the Court 5 unless objections are filed within fourteen (14) days of the entry of this order.

6 The schedule, once final, shall not be modified except by leave of the Court upon 7 showing of good cause. Counsel shall contact Judge Calabretta's courtroom deputy, 8 Gabriel Michel, via e-mail at gmichel@caed.uscourts.gov, prior to filing a stipulation 9 and proposed order to continue the dates set forth herein. 10 The parties are reminded that pursuant to Rule 16(b) of the Federal Rules of 11 Civil Procedure, no stipulations extending scheduling requirements or modifying 12 applicable rules are effective until and unless the Court approves them.

Agreement of 13 the parties by stipulation alone does not constitute good cause. Counsel are 14 cautioned that requests or stipulations to continue dispositive motion deadlines or 15 trial dates must establish good cause exists and are not granted lightly. 16 Any request or stipulation to modify this scheduling order must set forth: 17 1.

The existing due date or hearing date as well as the discovery cutoff date, 18 the last date for hearing motions, the final pretrial conference date, and the 19 trial date; 20 2. Whether there have been prior requests for extensions, and whether these 21 were granted or denied by the Court; and 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: November 25, 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