

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

Rieux v. Union Pacific Railroad Company

Rieux · No. 2:25-cv-317 WBS SCR · Decided August 5, 2025

OPINION

Rieux v. Union Pacific Railroad Company

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 ----oo0oo---- 11

12 RANDY RIEUX, No. 2:25-cv-317 WBS SCR

13 Plaintiff, 14 v.

15 UNION PACIFIC RAILROAD

COMPANY,

16 Defendant. 17

18 ----oo0oo---- 19

20 STATUS (PRETRIAL SCHEDULING) ORDER

21 After reviewing the parties' Joint Status Report 22 (Docket No. 19), the court hereby vacates
the Status (Pretrial 23 Scheduling) Conference scheduled for August 11, 2025, and makes 24 the
following findings and orders without needing to consult with 25 the parties any further.

26 I. SERVICE OF PROCESS

27 All defendants have been served, and no further service 28 is permitted without leave of court,
good cause having been shown 1 under Federal Rule of Civil Procedure 16(b).

2 II. JOINDER OF PARTIES/AMENDMENTS

3 No further joinder of parties or amendments to 4 pleadings will be permitted except with leave
of court, good 5 cause having been shown under Federal Rule of Civil Procedure 6 16(b). See
Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 7 607-10 (9th Cir. 1992).

8 III. JURISDICTION/VENUE

9 Jurisdiction is predicated upon 28 U.S.C. § 1331, 10 because plaintiff brings claims under the
Americans with 11 Disabilities Act, 42 U.S.C. § 12112, in this disability 12 discrimination action
against his former employer. Venue is 13 undisputed and hereby found to be proper.

14 IV. DISCOVERY

15 The parties agree to serve the initial disclosures 16 required by Federal Rule of Civil Procedure
26(a)(1) on or before

17 August 4, 2025.

18 The parties shall disclose experts and produce reports 19 in accordance with Federal Rule of Civil Procedure 26(a)(2) by no 20 later than June 26, 2026. With regard to expert testimony 21 intended solely for rebuttal, those experts shall be disclosed 22 and reports produced in accordance with Federal Rule of Civil

23 Procedure 26(a)(2) on or before July 28, 2026.

24 All discovery, including depositions for preservation 25 of testimony, is left open, save and except that it shall be so 26 conducted as to be completed by August 28, 2026. The word 27 “completed” means that all discovery shall have been conducted so 28 that all depositions have been taken and any disputes relevant to 1 discovery shall have been resolved by appropriate order if 2 necessary and, where discovery has been ordered, the order has 3 been obeyed. All motions to compel discovery must be noticed on 4 the magistrate judge’s calendar in accordance with the local 5 rules of this court and so that such motions may be heard (and 6 any resulting orders obeyed) not later than August 28, 2026.

7 V. MOTION HEARING SCHEDULE

8 All motions, except motions for continuances, temporary 9 restraining orders, or other emergency applications, shall be 10 filed on or before October 28, 2026. All motions shall be 11 noticed for the next available hearing date. Counsel are 12 cautioned to refer to the local rules regarding the requirements 13 for noticing and opposing such motions on the court’s regularly 14 scheduled law and motion calendar.

15 VI. FINAL PRETRIAL CONFERENCE

16 The Final Pretrial Conference is set for January 11, 17 2027, at 1:30 p.m. in Courtroom No. 5. The conference shall be 18 attended by at least one of the attorneys who will conduct the 19 trial for each of the parties and by any unrepresented parties. 20 Counsel for all parties are to be fully prepared for 21 trial at the time of the Pretrial Conference, with no matters 22 remaining to be accomplished except production of witnesses for 23 oral testimony. Counsel shall file separate pretrial statements 24 and are referred to Local Rules 281 and 282 relating to the 25 contents of and time for filing those statements. In addition to 26 those subjects listed in Local Rule 281(b), the parties are to 27 provide the court with: (1) a plain, concise statement which 28 identifies every non-discovery motion which has been made to the 1 court, and its resolution; (2) a list of the remaining claims as 2 against each defendant; and (3) the estimated number of trial 3 days. 4 In providing the plain, concise statements of 5 undisputed facts and disputed factual issues contemplated by 6 Local Rule 281(b)(3)-(4), the parties shall emphasize the claims 7 that remain at issue, and any remaining affirmatively pled 8 defenses thereto. If the case is to be tried to a jury, the 9 parties shall also prepare a succinct statement of the case, 10 which is appropriate for the court to read to the jury.

11 VII. TRIAL SETTING

12 The jury trial is set for March 16, 2027, at 9:00 a.m. 13 The parties estimate that the trial will

last five (5) days.

14 VIII. SETTLEMENT CONFERENCE

15 The parties believe that alternative dispute resolution 16 is appropriate and will continue to confer regarding the use of a 17 private mediator or the voluntary dispute resolution program. If 18 private efforts to settle fail, a Settlement Conference with a 19 magistrate judge will be set at the time of the Pretrial 20 Conference. Counsel are instructed to have a principal with full 21 settlement authority present at the Settlement Conference or to 22 be fully authorized to settle the matter on any terms. At least 23 seven calendar days before the Settlement Conference counsel for 24 each party shall submit a confidential Settlement Conference 25 Statement for review by the settlement judge. The Settlement 26 Conference Statements shall not be filed and will not otherwise 27 be disclosed to the trial judge.

28 IX. MODIFICATIONS TO SCHEDULING ORDER

ee nn RENEE EI IIE 1 Any requests to modify the dates or terms of this 2 Scheduling Order, except requests to change the date of the 3 trial, may be heard and decided by the assigned Magistrate Judge. 4 All requests to change the trial date shall be heard and decided 5 only by the undersigned judge. 6 IT IS SO ORDERED. 7 Dated: August 4, 2025 atthe A, A. ☐☐☐

9 WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE

10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28