

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Jose Luis Novoa v. Henley, et al.

Novoa · No. 3:24-cv-00482-MMD-CLB · Decided December 9, 2025

SUMMARY

This order from the United States District Court for the District of Nevada directs the parties in Jose Luis Novoa v. Henley to exchange initial disclosures and attend a mandatory case management conference. It sets the conference for January 12, 2026, establishes topics for discussion and filing requirements, and states that a full scheduling order will follow the conference.

CASE DETAILS

COURT	United States District Court for the District of Nevada
WRITING FOR THE COURT	Carla Baldwin
DECIDED	December 9, 2025
DOCKET	3:24-cv-00482-MMD-CLB
DISPOSITION	other
PROCEDURAL POSTURE	After screening Plaintiff's prisoner civil-rights complaint under 28 U.S.C. § 1915A(a) and ordering the case to proceed, the court entered an order requiring initial disclosures and setting a mandatory case management conference.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- discovery dispute
- civil procedure
- prisoners rights
- affirmative defenses
- section 1983

PRACTICE AREAS

- civil procedure
- prisoner civil rights

QUESTIONS PRESENTED

- Whether the court should require initial disclosures under Federal Rule of Civil Procedure 16 notwithstanding the exemption in Rule 26(a)(1)(B).
- What case-management procedures, including a mandatory conference and preconference statements, should govern the action before entry of a full scheduling order.

HOLDINGS

1. The court may and should require the parties to exchange specified initial disclosures under Federal Rule of Civil Procedure 16, notwithstanding the Rule 26(a)(1)(B) exemption.
2. The parties must disclose individuals likely to have discoverable information and relevant documents, electronically stored information, and tangible things that they may use to support claims or defenses, subject to the stated impeachment and confidentiality limitations.
3. If a defendant intends to rely on an affirmative defense based on failure to exhaust administrative remedies, the defendant must provide the plaintiff with all documents intended to support that defense.
4. The parties must attend a mandatory case management conference, file statements addressing specified case-management issues at least one week beforehand, and refrain from conducting discovery beyond the ordered initial disclosures until the court enters a full scheduling order.

KEY QUOTATIONS

“Aside from the initial disclosures required by this order, no other discovery may proceed until the court enters a full scheduling order following the mandatory scheduling conference.” (at 1)

“Control is defined as the legal right to obtain documents upon demand.” (at 2)

FACTUAL BACKGROUND

The action is a prisoner litigation matter brought by Jose Luis Novoa against Henley and other defendants. The court determined that initial disclosures would assist in managing the case, including disclosure of information obtained through the administrative grievance process and information relevant to any exhaustion defense. The court also identified potential discovery, exhaustion, expert-witness, and incarceration-related injunctive-relief issues for discussion at the mandatory conference.

PROCEDURAL HISTORY

The district court screened the complaint under 28 U.S.C. § 1915A(a) and allowed the action to proceed. Before issuing a full scheduling order, the court ordered the parties to exchange specified initial disclosures, file case management conference statements, and attend a mandatory case management conference. The court stated that a full scheduling order and discovery plan would issue after the conference.

DISPOSITION

other

CASES CITED

- United States v. International Union of Petroleum & Industrial Workers, AFL-CIO, 870 F.2d 1450, 1452 (9th Cir. 1989)

OPINION

Novoa

PER CURIAM.

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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

3 JOSE LUIS NOVOA, Case No. 3:24-cv-00482-MMD-CLB 4 Plaintiff, ORDER SETTING
MANDATORY 5

CASE MANAGEMENT CONFERENCE

v. AND EXCHANGE OF INITIAL

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DISCLOSURES

HENLEY, et al., 7 Defendants. 8 9 The Court has now screened Plaintiff's complaint pursuant to
28 U.S.C. § 10 1915A(a) and ordered the case to proceed. In order to ensure the just, speedy, and
11 cost-effective resolution of this action, the court orders: (1) the parties to exchange initial 12
disclosures, as described below; and (2) the parties attend a mandatory case 13 management
conference to be held on January 12, 2026, at 10:00 a.m., as describe 14 more fully below. 15
Following the mandatory conference, the court will issue a full scheduling order, 16 setting out
additional dates related to discovery and the litigation. Aside from the initial 17 disclosures
required by this order, no other discovery may proceed until the court enters 18 a full scheduling
order following the mandatory scheduling conference. 19

I. INITIAL DISCLOSURES

20 Notwithstanding Federal Rules of Civil Procedure 26(a)(1)(B), the court finds that 21 initial
disclosures would be helpful in managing this action under Federal Rule of Civil 22 Procedure 16,
taking into account the extent of prisoner litigation in this district, the desire 23 1 to manage those
cases efficiently, the desire to secure the just, speedy, and inexpensive 2 determination of this case,
the importance of the issues at stake, the parties' relative 3 access to relevant information, the
parties' resources, the importance of discovery in 4 resolving issues, and the value of initial
disclosure of information obtained through the 5 administrative grievance process.¹ Accordingly,
all parties are hereby ordered to provide 6 initial disclosures with the following information:² 7 A.
The name and, if known, the address and telephone number of each 8 individual likely to have
discoverable information—along with the subjects of that 9 information—that the disclosing party
may use to support its claims or defenses, unless 10 the use would be solely for impeachment. 11

1. The Parties may withhold confidential sensitive information

12 regarding the identity or contact information of such individuals so long as they provide 13 a
method of identifying and contacting such individuals, such as through counsel. 14 B. A copy—or
a description by category and location—of all documents, 15 electronically stored information,
and tangible things that the disclosing party has in its 16 possession, custody, or control and may

use to support its claims or defenses, unless 17 18

1 Rule 26, Advisory Committee Note, 2000 Amendments ("[T]he court can

19 order exchange of similar information in managing the action under Rule 16."). Also note Rule 26, Advisory Committee Note, 1993 Amendment "The enumeration in Rule 20 26(a) of items to be disclosed does not prevent a court from requiring by order or local rule that the parties disclose additional information without a discovery request." 21 2 These disclosures must be mailed to the other parties in the case, or their 22 attorneys, if they are represented by counsel. These disclosures should not be filed with the court. 23 1 the use would be solely for impeachment. 2

1. In the context of Rule 26, "[c]ontrol is defined as the legal right to

3 obtain documents upon demand." United States v. Int'l Union of Petroleum & Indus. 4 Workers, AFL-CIO, 870 F.2d 1450, 1452 (9th Cir. 1989). 5

2. To the extent Defendant(s) intend to rely on an affirmative defense

6 based on a failure to exhaust administrative remedies, Defendant(s) shall provide to 7 Plaintiff all documents Defendants intend to use to support that defense. 8

II. MANDATORY CASE MANAGEMENT CONFERENCE

9 A mandatory case management conference will be held on January 12, 2026, at 10 10:00 a.m. Counsel shall dial 1-855-244-8681, access code 2319 945 8106 to be 11 properly connected into the courtroom for this hearing. The parties should be available 12 for one hour, although the case management conference will likely take less time. The 13 parties shall be prepared to informally discuss the following issues: 14 A. A brief statement of the parties' claims and/or defenses; 15 B. Confirmation that initial disclosures (described above) have been provided, 16 and any justification for withholding any portion of that information; 17 C. The location of potentially relevant documents; 18 19 D. Any deficiency or problems in the other party's initial disclosures; 20 E. Discovery each party intends to take, if any, in addition to the discovery 21 ordered above; 22 F. A timeline for the scheduling of discovery; 23 | G. Any options or methods for the streamlining discovery; 2 H. Whether any party intends to challenge the issue of exhaustion; 3 4 I. Whether any party intends to use expert witnesses; and, 5 J. Any immediate or ongoing issues or requests for injunctive relief regarding current incarceration that could require the court's immediate attention.

' III. CASE MANAGEMENT CONFERENCE STATEMENTS

At least one-week in advance of the case management conference, each party ° shall file a case management conference statement. The case management conference statement must address the issues listed above, as well as any other issues that the parties believe would assist in the scheduling of the case. The statement should include 2 the date that initial disclosures were served and any deficiencies in either party's 8 disclosures. The statement must not exceed five (5) pages in length and no exhibits or 4 attachments should be included.

IV. SCHEDULING ORDER

Following the case management conference, the court will issue a Scheduling Order and

Discovery Plan with the benefit of the input of the parties. Once issued, the 8 dates in the Scheduling Order and Discovery Plan shall be firm and no extension shall " be given without permission from the court based on good cause shown. DATED: December 9, 2025 » 21 CARLA Asin

UNNEDSTATES MAGISTRATE JUDGE

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