

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Millard Wayne Bakers, Jr. v. R. Shahbazian

Bakers v. Shahbazian · No. 1:24-CV-01279-HBK · Decided August 18, 2025

SUMMARY

This document is a Case Management Scheduling Order issued in Baker v. Shahbazian by the United States District Court for the Eastern District of California. It establishes limits and procedures for written discovery and depositions and sets deadlines for exhaustion challenges, non-expert discovery, settlement reporting, and dispositive motions. The order is dated August 18, 2025, and was issued by Magistrate Judge Helena M. Barch-Kuchta.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Helena M. Barch-Kuchta
DECIDED	August 18, 2025
DOCKET	1:24-CV-01279-HBK
DISPOSITION	other
PROCEDURAL POSTURE	The court issued a case management and scheduling order in a prisoner civil-rights action, establishing discovery procedures, deadlines, motion limits, and future case-management dates.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Millard Wayne Bakers, Jr. v. R. Shahbazian

TOPICS

discovery dispute civil procedure prisoners rights section 1983 sanctions

PRACTICE AREAS

civil procedure prisoner civil rights litigation civil rights

QUESTIONS PRESENTED

1. What discovery limits, response deadlines, and procedures should govern the action?

2. What deadlines should govern exhaustion-based motions, completion of nonexpert discovery, settlement reporting, and dispositive motions?
3. What procedures apply to depositions of incarcerated parties or witnesses and to motions to compel?

HOLDINGS

1. Absent leave of court, each party is limited to 15 interrogatories, 15 requests for admission, and 15 requests for production, and responses to written discovery are due within 45 days after service.
2. The parties must meet and confer in good faith before filing a discovery motion, and a motion to compel must be filed promptly and no later than 14 days before the nonexpert discovery deadline; failure to timely move to compel waives objections to discovery.
3. Defendants may depose the plaintiff or another witness confined in prison under Rule 30(a)(2)(B) if they provide at least 14 days' notice, and depositions may be conducted by videoconference under Rule 30(b)(4).
4. The deadlines for challenging exhaustion, completing nonexpert discovery, reporting on settlement potential, and filing pretrial dispositive motions are November 18, 2025; May 18, 2026; June 18, 2026; and August 18, 2026, respectively.

FACTUAL BACKGROUND

The action is brought by an incarcerated plaintiff against R. Shahbazian and is identified as a prisoner civil-rights case under 42 U.S.C. § 1983. The court addressed the case at the scheduling stage and did not resolve the merits of the civil-rights claims. The order specifically accounted for discovery involving an incarcerated plaintiff and depositions of witnesses confined in prison.

PROCEDURAL HISTORY

Plaintiff filed a prisoner civil-rights action in the Eastern District of California. The court entered this scheduling order under Federal Rules of Civil Procedure 1, 16, and 26 through 36. The order set deadlines for responding to the operative complaint, exhaustion-based motions, nonexpert discovery, settlement reporting, and dispositive motions.

DISPOSITION

other

CASES CITED

- Allen v. Woodford, 2007 WL 309945, at *2 (E.D. Cal. 2007)

OPINION

(PC) Baker v. Shahbazian

PER CURIAM.

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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 MILLARD WAYNE BAKERS, JR., Case No. 1:24-CV-01279-HBK

12 Plaintiff, CASE MANAGEMENT SCHEDULING ORDER 13 v. Response to Operative
Complaint: 09/08/2025 14 R. SHAHBAZIAN, Exhaustion-Based Motion: 11/18/2025 15
Defendants. Complete Non-Expert Discovery: 05/18/2026 16 Settlement Report: 06/18/2026
Dispositive Motion(s): 08/18/2026 17 Pursuant to Federal Rules of Civil Procedure 1, 16, and 26-
36, the Court sets forth the 18 following case management deadlines and discovery procedures for
this case as follows: 19 I. Written Discovery: 20 Discovery requests shall be served by the parties
in compliance with Rule 5 of the Federal 21 Rules of Civil Procedure (Fed. R. Civ. P.) and Eastern
District of California Local Rule 135. 22 Discovery requests and responses shall not be filed with
the Court unless required by Eastern 23 District California Local Rules 250.2, 250.3 and 250.4.
Absent leave of Court, discovery is 24 limited as follows: 25 A. The parties are limited to 15
Interrogatories (an interrogatory is a question sent by one 26 party to another, to be answered
under oath, in order to clarify matters of fact and “may relate to 27 any matter that may be
inquired into under Rule 26(b).” Fed. R. Civ. P. 33(a)(2); 28 1 B. The parties are limited to 15
Requests for Admission (a request for admission is a 2 written request that the opposing party
“admit, for purposes of the pending action only, the truth 3 of any matters within the scope of Rule
26(b)(1)” that relate to “(A) facts, the application of law 4 to fact, or opinions about either; [or] (B)
the genuineness of any described documents.” Fed. R. 5 Civ. P. 36(a)(1)); 6 C. The parties are
limited to 15 Requests for Production (a request for production is a 7 written request that the
opposing party produce documents or electronically stored information, 8 “including writings,
drawings, graphs, charts, photographs, sound recordings, images, and other 9 data or data
compilations,” or a written request that the opposing party produce any designated 10 tangible
things. Fed. R. Civ. P. 34(a)(1)). 11 Responses to documents shall include all documents within a
party’s possession, custody, 12 or control. Fed. R. Civ. P. 34(a)(1). Documents are deemed within a
party’s possession, custody, 13 or control if the party has actual possession, custody, or control
thereof, or the legal right to 14 obtain the property on demand. Allen v. Woodford, 2007 WL
309945, at *2 (E.D. Cal. 2007). 15 Responses to written discovery, including the production of
documents, shall be due 16 within forty-five (45) days after the request is served. Boilerplate
objections are disfavored and 17 may be summarily overruled by the Court. All discovery must be
completed by the above- 18 referenced discovery cut-off date. 19 The parties are required to act in
good faith during discovery and are required to meet and 20 confer, via correspondence or
telephonically, to resolve any discovery dispute prior to filing any 21 discovery motion. Any
motions to compel should be filed promptly after the non-receipt or 22 receipt of the objectionable
discovery; and, in all cases no later than fourteen (14) days before the 23 non-expert discovery
deadline expires. Failure to timely file a motion to compel will result in a 24 waiver of any

objections to discovery. The moving party must include certification that they have complied with their duty to meet and confer. The failure to include a certification or show good cause for failure to meet and confer will result in the motion being stricken. The fact that Plaintiff is incarcerated does not constitute good cause to excuse either parties' duty to fulfill the meet and confer requirement.

II. Depositions Pursuant to Fed. R. Civ. P. 30(a)(2)(B), Defendants may depose Plaintiff and any other witness confined in a prison upon condition that, at least fourteen (14) days before such a deposition, Defendants serve all parties with the notice required by Rule 30(b)(1). Pursuant to Fed. R. Civ. P. 30(b)(4), the parties may take any deposition under this section by video conference, relieving the court reporter of the requirement to be in the physical presence of the witness under Federal Rule of Civil Procedure 28(a)(1) during that deposition. Nothing herein forecloses a party from bringing a motion for protective order pursuant to Fed. R. Civ. P. 26(c)(1) if deemed necessary. Disagreement with any directive of security staff at the institution or prison at which the deposition is scheduled is not a basis for the Plaintiff to refuse to answer questions. Further, the failure of Plaintiff to attend, be sworn, or answer appropriate questions may result in sanctions, including terminating the action as provided in Fed. R. Civ. P. 37.

III. Case Management Deadlines The following deadlines shall govern this action:

A. Deadline to challenge exhaustion of administrative remedies: November 18, 2025.

B. Deadline to complete non-expert discovery: May 18, 2026. Any motions to compel must be filed no later than fourteen (14) days before the non-expert discovery deadline. The motion(s) should include a copy of the request(s) and any response to the request(s) at issue. The responding party may file a response to the motion no later than twenty-one days from the date the motion is filed. If, after reviewing the motion(s) and response(s), the Court determines that a hearing will be helpful, the Court will set a hearing on the motion(s) to compel.

C. Deadline to Advise of Settlement Potential: Defendant(s) shall confer with Plaintiff, and no later than June 18, 2026, shall file a report indicating each party's position on whether a further settlement conference would be productive.

D. Deadline to file pre-trial dispositive motions: August 18, 2026. The deadline to file

1 The parties may confer by letter or telephonically.

2 If the parties request a settlement conference, the Court will stay the remaining deadlines.

3 | oppositions to dispositive motions, including motions for summary judgment, is thirty (30) days 2 | from the date the motion is filed. The deadline to file replies to oppositions is fourteen (14) days 3 | from the date the opposition is filed. If a party needs an extension to these deadlines, that party 4 | may file a motion for an extension of time.

5 E. In addition to complying with the applicable rules, a motion and incorporated memorandum and any responses in opposition shall not exceed twenty-five (25) pages in length, 7 | exclusive of exhibits. A moving party's reply brief shall not exceed seven (7) pages in length. A 8 || party must move and show good cause for exceeding these page limitations before filing a motion 9 | in excess of these pages. Any motions filed in excess of these page limitations may be struck.

10 F. Defendants shall lodge a Word version of any dispositive motion to chambers at: 11 | hbkorders@caed.uscourts.gov and shall mail

or deliver courtesy hard-copies of any motions with 12 | exhibits that exceed twenty-five (25) pages in length to the Clerk of Court at 2500 Tulare St., 13 | Fresno, CA 93721 and marked “to the Attention of: HBK Chambers.” Courtesy hard-copies shall 14 | reflect the CM/ECF document numbers and pagination. 15 IV. Further Dates and Deadlines 16 If this case proceeds after dispositive motions have been resolved, or if no dispositive 17 | motions are filed, the Court will set expert disclosure deadlines, a telephonic trial confirmation 18 | hearing, pretrial deadlines, and a trial date. 19 V. Effect of This Order 20 The deadlines set forth above are firm and will only be extended upon a showing of good 21 | cause. Eleventh hours motions, i.e., motions filed on the eve of the deadline expiration, to extend 22 | a deadline will only be granted only upon a showing of extraordinary circumstances.

*3 | Dated: _ August 18, 2025 Mihaw. Wh. foareh fackte

24 HELENA M. BARCH-KUCHTA

35 UNITED STATES MAGISTRATE JUDGE

26 27 3 While the Court is not setting a deadline for expert disclosures at this time, the parties may provide their 28 expert disclosures at any time. 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28