

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

**Svetlana Loboda v. Bertrand Trucking; Mark Thomas Bertrand,
individually and dba Bertrand Trucking, and Does 1 through 25,
inclusive**

Loboda · No. 2:25-cv-01463 WBS SCR · Decided September 18, 2025

SUMMARY

This Status (Pretrial Scheduling) Order in a federal vehicle-accident diversity action vacates the scheduled status conference and establishes deadlines for disclosures, expert reports, discovery, motions, pretrial proceedings, settlement, and trial. The order sets the final pretrial conference for June 14, 2027, and the jury trial for August 10, 2027, estimated to last five days.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	William B. Shubb
DECIDED	September 18, 2025
DOCKET	2:25-cv-01463 WBS SCR
DISPOSITION	other
PROCEDURAL POSTURE	Status and pretrial scheduling order issued after review of the parties' joint status report; the previously scheduled status conference was vacated.
PRECEDENTIAL VALUE	nonprecedential case-management order
PARTIES	Svetlana Loboda v. Bertrand Trucking, Mark Thomas Bertrand, individually and doing business as Bertrand Trucking, Does 1 through 25, inclusive

TOPICS

[civil procedure](#) [service of process](#) [joinder](#) [discovery dispute](#) [venue](#)

PRACTICE AREAS

[civil procedure](#) [personal injury](#) [motor vehicle accident](#)

QUESTIONS PRESENTED

1. Whether the scheduled Status (Pretrial Scheduling) Conference should be vacated and a scheduling order entered.
2. What deadlines and restrictions should govern service, joinder, amendments to pleadings, discovery, motions, pretrial proceedings, settlement, and trial.
3. Whether the action was properly within federal diversity jurisdiction and venue was proper.

HOLDINGS

1. Because all defendants had been served, no further service was permitted without leave of court and a showing of good cause under Federal Rule of Civil Procedure 16(b).
2. No further joinder of parties or amendments to pleadings would be permitted absent leave of court and a showing of good cause under Federal Rule of Civil Procedure 16(b).
3. The court found that jurisdiction was proper under 28 U.S.C. § 1332 because the parties were diverse and the amount in controversy exceeded \$75,000, and found venue proper because it was undisputed.
4. The court vacated the September 22, 2025 Status (Pretrial Scheduling) Conference and established deadlines for disclosures, expert reports, discovery completion, motions, the final pretrial conference, settlement proceedings, and trial.

KEY QUOTATIONS

“After reviewing the parties’ Joint Status Report, the court hereby vacates the Status (Pretrial Scheduling) Conference scheduled for September 22, 2025, and makes the following findings and orders without needing to consult with the parties any further.” (at 1)

“All discovery, including depositions for preservation of testimony, is left open, save and except that it shall be so conducted as to be completed by February 8, 2027.” (at 3)

FACTUAL BACKGROUND

The case concerns a vehicle accident dispute between Svetlana Loboda and Bertrand Trucking and Mark Thomas Bertrand. The court found that federal subject-matter jurisdiction was based on diversity of citizenship and an amount in controversy exceeding \$75,000, and that venue was proper.

PROCEDURAL HISTORY

The action is a vehicle-accident dispute removed to the United States District Court for the Eastern District of California. After reviewing the parties' Joint Status Report, the court vacated the September 22, 2025 Status (Pretrial Scheduling) Conference and entered deadlines governing service, joinder, amendments, discovery, motions, pretrial proceedings, settlement, and trial.

DISPOSITION

other

CASES CITED

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

OPINION

Loboda

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

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12 SVETLANA LOBODA, No. 2:25-cv-01463 WBS SCR

13 Plaintiff, 14 v.

15 BERTRAND TRUCKING; MARK

THOMAS BERTRAND, individually 16 and dba BERTRAND TRUCKING, and DOES 1
through 25, 17 inclusive, 18 Defendant. 19 20 ----oo0oo----

21 STATUS (PRETRIAL SCHEDULING) ORDER

22 After reviewing the parties’ Joint Status Report, the 23 court hereby vacates the Status (Pretrial
Scheduling) Conference 24 scheduled for September 22, 2025, and makes the following 25
findings and orders without needing to consult with the parties 26 any further.

27 I. SERVICE OF PROCESS

28 All defendants have been served, and no further service 1 is permitted without leave of court,
good cause having been shown 2 under Federal Rule of Civil Procedure 16(b).

3 II. JOINDER OF PARTIES/AMENDMENTS

4 No further joinder of parties or amendments to 5 pleadings will be permitted except with leave
of court, good 6 cause having been shown under Federal Rule of Civil Procedure 7 16(b). See
Johnson v. Mammoth Recreations, Inc., 975 F.2d 604 8 (9th Cir. 1992).

9 III. JURISDICTION/VENUE

10 Jurisdiction in this vehicle accident dispute is 11 predicated upon 28 U.S.C. § 1332, because the
parties are of 12 diverse citizenship and the amount in controversy exceeds 13 \$75,000. Venue is
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 October 27, 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 December 8, 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 January 8, 2027.

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 February 8, 2027. 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 February 8, 2027.

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 April 5, 2027. All motions shall be noticed 11 for the next available hearing date. Counsel are cautioned to 12 refer to the local rules regarding the requirements for noticing 13 and opposing such motions on the court’s regularly scheduled law 14 and motion calendar.

15 VI. FINAL PRETRIAL CONFERENCE

16 The Final Pretrial Conference is set for June 14, 2027, 17 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.

9 VII. TRIAL SETTING

10 The jury trial is set for August 10, 2027 at 9:00 a.m. 11 The parties estimate that the trial will last five days.

12 VIII. SETTLEMENT CONFERENCE

13 A Settlement Conference with a magistrate judge will be 14 set at the time of the Pretrial Conference. Counsel are 15 instructed to have a principal with full settlement authority 16 present at the Settlement Conference or to be fully authorized to 17 settle the matter on any terms. At least seven calendar days 18 before the Settlement Conference counsel for each party shall 19 submit a confidential Settlement Conference Statement for review 20 by the settlement judge. The

Settlement Conference Statements 21 shall not be filed and will not otherwise be disclosed to the 22 trial judge.

23 IX. MODIFICATIONS TO SCHEDULING ORDER

24 Any requests to modify the dates or terms of this 25 Scheduling Order, except requests to change the date of the 26 trial, may be heard and decided by the assigned Magistrate Judge. 27 All requests to change the trial date shall be heard and decided 28 only by the undersigned judge.

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1 IT IS SO ORDERED -

2 Dated: September 17, 2025 Atle pLt..te—

WILLIAM B. SHUBB

3 UNITED STATES DISTRICT JUDGE

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