

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DARRYL DUNSMORE, et al.,
Plaintiffs,
v.
SAN DIEGO COUNTY SHERIFF'S
DEPARTMENT, et al.,
Defendants.

Case No.: 20-cv-406-AJB-DDL

**THIRD AMENDED
SCHEDULING ORDER
REGULATING DISCOVERY AND
OTHER PRETRIAL
PROCEEDINGS**

After consulting with the attorneys of record for the parties and being advised of the status of the case, the Court finds good cause to extend discovery-related deadlines as requested in the parties' Joint Motion to Extend Deposition, Inspection and Expert Discovery [Dkt. No. 469]. Furthermore, on the basis of these extensions, the Court *sua sponte* continues the pretrial conference and related trial preparation deadlines. Therefore, **IT IS HEREBY ORDERED:**

1. All fact discovery must be completed by all parties on or before **April 16, 2024**. All expert discovery must be completed by all parties on or before **June 28, 2024**.

2. The parties must comply with the disclosure requirements of Federal Rule of Civil Procedure 26(a)(2)(A) through (C) by not later than **May 10, 2024**. Any party shall supplement its disclosure regarding contradictory or rebuttal

evidence pursuant to Federal Rule of Civil Procedure 26(a)(2)(D) and (E) by not later than **May 31, 2024**. Please be advised that failure to comply with this section or any other discovery order of the court may result in the sanctions provided for in Federal Rule of Civil Procedure 37, including a prohibition on the introduction of experts or other designated matters in evidence.

3. All other dispositive motions, *including those addressing Daubert issues*, must be filed on or before **July 26, 2024**. Please be advised that counsel for the moving party must obtain a motion hearing date from the law clerk of the judge who will hear the motion. Motions *in limine* are to be filed as directed in the Local Rules, or as otherwise set by Judge Battaglia.

4. Counsel must comply with the pre-trial disclosure requirements of Federal Rule of Civil Procedure 26(a)(3) on or before **October 17, 2024**.

5. This order replaces the requirements under Civil Local Rule 16.1.f.6.c. No Memoranda of Law or Contentions of Fact are to be filed.

6. The parties must meet and confer on or before **October 24, 2024** and prepare a proposed pretrial order in the form as set forth in Civil Local Rule 16.1.f.6. The Court encourages the parties to consult with the assigned magistrate judge to work out any problems in preparation of the proposed pretrial order. The court will entertain any questions concerning the conduct of the trial at the pretrial conference.

7. Objections to Pre-trial disclosures must be filed no later than **October 31, 2024**.

8. The Proposed Final Pretrial Conference Order as described above must be prepared, served and lodged with the assigned district judge on or before **November 7, 2024**.

9. The final Pretrial Conference is scheduled on the calendar of the Honorable Anthony J. Battaglia on **November 14, 2024** at **2:00 p.m.**

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1 10. A post trial settlement conference before a magistrate judge may be
2 held within 30 days of verdict in the case.

3 11. The dates and times set forth herein will not be modified except for
4 good cause shown.

5 12. Dates and times for hearings on motions must be approved by the
6 Court's clerk before notice of hearing is served.

7 13. Briefs or memoranda in support of or in opposition to any pending
8 motion must not exceed twenty-five (25) pages in length without leave of a district
9 judge. No reply memorandum will exceed ten (10) pages without leave of a district
10 judge. Briefs and memoranda exceeding ten (10) pages in length must have a
11 table of contents and a table of authorities cited.

12 **IT IS SO ORDERED.**

13 Dated: December 22, 2023

A handwritten signature in black ink, reading "David Leshner" with a checkmark at the end.

Hon. David D. Leshner
United States Magistrate Judge