

1 **P O R T E R | S C O T T**

2 A PROFESSIONAL CORPORATION  
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8 ATTORNEYS FOR: Defendants CITY OF FRESNO, JERRY DYER, BELINDA ANAYA

9 **UNITED STATES DISTRICT COURT**  
10 **EASTERN DISTRICT OF CALIFORNIA**

11 LUPE E. MARTINEZ, In Behalf of  
12 Herself and all Similarly Situated.  
13 RALPH C. RENDON, in Behalf of  
14 Himself and all Similarly Situated,

Case No. 06-0233 OWW GSA  
Consolidated with Case No.: 06-1851

15 vs.

**STIPULATION AND ORDER TO  
MODIFY THE SCHEDULING ORDER  
TO ALLOW INDEPENDENT MEDICAL  
EXAMINATIONS OF PLAINTIFFS  
RICARDO RENDON, ALFRED  
HERNANDEZ AND JOHN NUNEZ, JR.**

16 CITY OF FRESNO, JERRY DYER, Chief  
17 of the Fresno Police Department; SGT.  
18 MICHAEL MANFREDI; OFFICER  
19 MARCUS K. TAFOYA, and Does 1-20,  
20 in their official and capacities, inclusive

21 Defendants.

22 \_\_\_\_\_ /  
23 CLAUDIA RENDON, GEORGE  
24 RENDON, PRISCILLA RENDON,  
25 LAWRENCE RENDON, RICARDO  
26 RENDON, JOHN NUNEZ, JR., ALFRED  
27 HERNANDEZ and VIVIAN CENTENO,

28 vs.

CITY OF FRESNO, JERRY DYER,  
individually and in his official capacity as  
the Chief of Police for Fresno Police  
Department; MICHAEL MANFREDI,  
individually and in his official capacity as  
Police Sergeant for the Fresno Police  
Department; MARCUS K. TAFOYA,  
individually and in his official capacity as  
Police Officer for the Fresno Police  
Department; BELINDA ANAYA,  
individual and in her official capacity as  
Police Officer for the Fresno Police  
Department, and Does 1-20, inclusive

Defendants.

\_\_\_\_\_ /

1 IT IS HEREBY STIPULATED AND AGREED by and between the parties, through their  
2 respective attorneys of record, that the pretrial scheduling order regarding the discovery cut-off of  
3 April 16, 2009 be modified so as to permit the independent medical examinations of Plaintiffs  
4 Ricardo Rendon, John Nunez Jr. and Alfred Hernandez to occur as agreed upon on April 20,  
5 2009.

6 Counsel acknowledge and agree that there was difficulty in scheduling these  
7 examinations, which were originally to occur in March 2009. Counsel for those Plaintiffs  
8 initially objected to those examinations. Counsel for Defendants then filed a Motion to  
9 Compel and counsel met and conferred to resolve the issues. As a showing of good faith and  
10 cooperation, and to avoid bringing this matter before the court in a motion to compel the  
11 examinations, counsel agreed to the scope of the examinations and that they will occur on  
12 the above-enumerated date. The parties acknowledge that this date is outside the specified  
13 close of discovery on April 16, 2009, but in light of this stipulation and the facts giving rise  
14 hereto, hereby agree to modify the date of the discovery cut of so as to allow to the  
15 examinations with respect to the date upon which they are scheduled to occur.

16 Dated: March 27, 2009

KAPETAN BROTHERS

17  
18 By /s/ Peter N. Kapetan

Peter N. Kapetan

Attorney for Plaintiffs

19 CLAUDIA RENDON, VIVIAN  
20 CENTENO, RALPH RENDON,  
21 LAWRENCE RENDON, RICARDO  
22 RENDON, ALFRED HERNANDEZ and  
JOHN NUNEZ, JR.

23 Dated: March 27, 2009

DREYER BABICH BUCCOLA & CALLAHAM

24  
25 By /s/ Charlie Barrett

Charlie Barrett

Attorney for Plaintiffs

26 GEORGE RENDON, PRISCILLA  
27 RENDON and LUPE MARTINEZ  
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Dated: March 27, 2009

LYNBERG WATKINS

By /s/ Matthew Harrison  
Dana A. Fox  
Matthew Harrison  
Attorneys for Defendants  
MICHAEL MANFREDI and MARCUS  
TAFOYA

Dated: March 27 , 2009

PORTER SCOTT  
A PROFESSIONAL CORPORATION

By /s/ Terence J. Cassidy  
Terence J. Cassidy  
Attorney for Defendants  
CITY OF FRESNO, JERRY DYER and  
BELINDA ANAYA

IT IS SO ORDERED.

Dated: March 30, 2009

/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE