

1 Lawrence D. Murray (SBN 77536)  
MURRAY & ASSOCIATES  
2 1781 Union Street  
San Francisco, CA 94123  
3 Tel: (415) 673-0555 Fax: (415) 928-4084

4 Dean Gordon (SBN 61311)  
LAW OFFICES OF DEAN GORDON  
5 1220 East Olive Avenue  
6 Fresno, CA 93728  
7 Tel: (559) 221-7777 Fax: (559) 221-5812  
ATTORNEYS FOR PLAINTIFF  
LAMONTE TUMBLING

8 DALEY & HEFT, ATTORNEYS AT LAW  
9 Neal S. Meyers, Esq.(SBN 109625)  
10 Matthew T. Racine, Esq. (SBN 256865)  
462 Stevens Avenue, Suite 201  
11 Solana Beach, CA 92075  
12 Tel: (858) 755-5666  
Fax: (858) 755-7870

13 ATTORNEYS FOR DEFENDANT,  
14 MERCED IRRIGATION DISTRICT

15 **UNITED STATES DISTRICT COURT**  
16 **Eastern District of California**  
17 **Fresno Division**

18 LaMonte Tumbling,  
19 Plaintiff,  
20 vs.  
21 Merced Irrigation District, a public entity,  
22 Defendant.

No. 1:08-CV-01801 LJO DLB

**JOINT STIPULATION FOR EXTENSION OF  
LITIGATION DEADLINES AND  
SCHEDULING ORDER**

23 ///  
24 ///

1 LaMonte Tumbling (“Plaintiff”) and Merced Irrigation District (“Defendant”), by and through their  
2 respective attorneys of record, hereby stipulate to and request the Court enter a scheduling order revising  
3 the amended scheduling order entered by this court on December 4, 2009. (See Joint Stipulation and  
4 Order attached as Exhibit A).

5 The revisions to the scheduling order are as follows:

- 6 (a) Extend the completion date for the taking of the non-expert deposition of Trudy Largent by  
7 60 days from February 15, 2010, to April 15, 2010.  
8 (b) Extend the completion date for the taking of the non-expert depositions of Cindy LaCava and  
9 Jem Brown by 30 days from February 15, 2010, to March 17, 2010.

10 Good cause exists to extend the deposition discovery deadline for Trudy Largent by 60 days in light of:

- 11 (a) The difficulty Plaintiff is having in obtaining the report conducted and submitted by Mrs.  
12 Largent regarding the complaints of harassment against Mr. Tumbling by Ms. Cindy LaCava  
13 and Ms. Linda Davidson.  
14 (b) MID is in possession of this report, yet it has not been produced to Plaintiff. Plaintiff is  
15 therefore prevented from preparing and conducting an informed and effective deposition of  
16 Trudy Largent until such time the report is produced.

17  
18 Good cause exists to extend the deposition discovery deadline for Cindy LaCava and Jem Brown by 30  
19 days in light of:

- 20  
21 (a) The fact that Jem Brown lives in Wisconsin and, although the parties have started his  
22 deposition, his schedule has made it difficult to find sufficient time to complete his  
23 deposition. The parties do not believe the schedule of Mr. Brown and counsel for the parties  
24 will make it possible to complete his deposition before February 15, 2010.  
25 (b) The parties have begun the deposition of Cindy LaCava, but recent scheduling conflicts with  
26 other deponents have necessitated rescheduling Ms. LaCava’s deposition. Counsel for the  
27 parties do not believe it will be possible to reschedule Ms. LaCava’s deposition prior to  
28 February 15, 2010.

1 For these reasons, the parties respectfully request the Court modify the Pre Trial Scheduling Order so  
2 that it conforms to the foregoing new discovery cut-off dates for the deposition of Trudy Largen, Cindy  
3 LaCava, and Jem Brown.

4  
5 Date: February 10, 2010

6  
7  
8 MURRAY & ASSOCIATES

DALEY & HEFT

9  
10 /s/ Lawrence D. Murray

/s/

11 Lawrence D. Murray  
12 Attorney for Plaintiff

Neal S. Meyers  
Attorney for Defendant

13  
14  
15 **ORDER ON STIPULATION FOR ORDER**

16 HAVING READ AND CONSIDERED THE FOREGOING, and good cause appearing:

17 The foregoing is the order of the court.

18  
19  
20 IT IS SO ORDERED.

21 Dated: February 11, 2010

/s/ Dennis L. Beck  
22 UNITED STATES MAGISTRATE JUDGE