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7 Attorneys for Defendant, OFFICER ALFONSO CASTILLO

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

10 KHALID LANIER, ) CASE NO. 1:10-CV-01120-LJO-SKO  
11 Plaintiff, )  
12 vs. )  
13 **STIPULATION AND ORDER AMENDING**  
14 **THE SCHEDULING ORDER**  
15 CITY OF FRESNO, a municipal entity, )  
16 POLICE OFFICER ALFONSO CASTILLO, )  
17 in his individual and official capacities, )  
18 POLICE OFFICER STEPHEN TAYLOR in )  
his individual and official capacities, )  
COUNTY OF FRESNO, and DOES 1-100, )  
Jointly and Severally, )  
Defendants. )

19 IT IS HEREBY STIPULATED between the parties, through their respective counsel, and ordered  
20 by this Court, that the Scheduling Order, Doc. No. 44, be amended and that the discovery deadlines,  
21 dispositive, and non-dispositive motion filing deadline be rescheduled. There is good cause for extending  
22 these dates. First, given defense counsel’s need to transition the Honorable Rosemary T. McGuire cases  
23 to other attorney’s within the firm and the resulting heavy caseload during this transition period  
24 scheduling discovery became problematic. In hindsight it appears that the deadlines agreed to in the  
25 Scheduling Order were a bit too optimistic. Also, drafting the stipulation and protective order so as to  
26 contain mutually agreeable language protecting confidential City of Fresno Police Department policies  
27 and procedure and confidential training records of Defendant and along with providing these confidential  
28 materials to Plaintiff’s counsel prior to his conducting of the deposition of Defendant has caused some

Stipulation and Order Amending the  
Scheduling Order

1 delays in the discovery process. Furthermore, the proposed amended deadlines do not alter the pretrial  
2 conference nor the trial date as agreed to in the Scheduling Order, Doc. No. 44.

3 Based on the foregoing, IT IS HEREBY STIPULATED:

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DEADLINE	CURRENT	NEW
5 Non-Expert Discovery	9/15/2011	11/30/2011
6 Expert Disclosure	9/30/2011	11/30/2011
7 Supplemental Expert Disclosure	10/10/2011	12/15/2011
8 Expert Discovery	10/24/2011	12/30/2011
9 Non-Dispositive Motions	10/19/2011	11/30/2011
10 Dispositive Motions	10/31/2011	1/16/2012
11 Settlement Conference	10/27/2011	2/29/2012

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18 **IT IS SO STIPULATED:**

19 DATED: September 7, 2011

WEAKLEY & ARENDT, LLP

21 By: /s/ Roy C. Santos  
James D. Weakley  
Roy C. Santos  
Attorneys for Defendant,  
Officer Alfonso Castillo

24 DATED: September 7, 2011

HELBRAUN LAW FIRM

26 By: /s/ David M. Helbraun  
David M. Helbraun  
Attorney for Plaintiff

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**ORDER**

The parties' request for a modification of the schedule is GRANTED. With the exception of the proposed date for the settlement conference, the dates proposed by the parties are adopted by the Court. The modified schedule is set forth below:

<u>Event</u>	<u>Previous Deadline</u>	<u>Revised Deadline</u>
Non Expert Discovery	September 15, 2011	November 30, 2011
Expert Disclosure	September 30, 2011	November 30, 2011
Supp. Expert Disclosure	October 10, 2011	December 15, 2011
Expert Discovery	October 24, 2011	December 30, 2011
Non-Dispositive Motions	October 19, 2011	November 30, 2011
Dispositive Motions	October 31, 2011	January 16, 2012
Settlement Conference	October 27, 2011	February 2, 2012

IT IS SO ORDERED.

**Dated: September 8, 2011**

**/s/ Sheila K. Oberto**  
**UNITED STATES MAGISTRATE JUDGE**