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5 Attorneys for Defendant, COUNTY OF TULARE and
STEVEN HENRY (erroneously sued herein as
6 "PHYSICIANS ASSISTANT HENRY")
7

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

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11 DONNY Y. EARP,

12 Plaintiff,

13 vs.

14 COUNTY OF TULARE, PHYSICIANS
ASSISTANT HENRY, and DOES 1-25,

15 Defendants.
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CASE NO.: 1:11-CV-00196-MJS

**JOINT STIPULATION OF THE
PARTIES; ORDER**

Case Filed: February 3, 2011
Trial Date: June 26, 2012
Magistrate: Michael J. Seng
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18 The parties to the above referenced action, subject to the Court's approval, hereby
19 stipulate to the following:

20 WHEREAS the parties desire to continue expert discovery related dates contained
21 within the Court's July 1, 2011 Scheduling Conference Order;

22 WHEREAS the parties have been diligent in conducting discovery, however the
23 plaintiff's status as an incarcerated individual has frustrated efforts at timely fact discovery
24 which will be necessary for expert witness review in addition to counsel for defendants'
25 multiple trial commitments in the past two months as well as anticipated in the following two
26 months;

1 The parties HEREBY AGREE, subject to the Court's approval, to modify the fact
2 discovery and expert discovery related dates contained in the Court's Scheduling Conference
3 Order dated July 1, 2011 as follows:

4 1. Initial expert witness disclosure for both the plaintiff and defendants, previously set for
5 November 15, 2011, shall be continued to **December 16, 2011**

6 2. Supplemental expert witness disclosure, previously set for December 15, 2011, shall be
7 continued to **January 16, 2012.**

8 The parties also HEREBY AGREE, subject to the Court's approval, that the following dates,
9 contained in the Court's Scheduling Conference Order dated July 1, 2011 remain as follows:

10 1. The cut-off for expert discovery shall remain February 1, 2012

11 2. The cut-off for fact discovery shall remain February 1, 2012

12 3. The deadline for filing dispositive motions shall remain February 1, 2012

13 4. The deadline for filing non-dispositive motions shall remain February 1, 2012

14 5. The Pre-Trial Conference shall remain June 1, 2012

15 6. The trial date shall remain June 26, 2012.

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18 Dated: October 26, 2011

Respectfully submitted,
LeBEAU-THELEN, LLP

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By: /s/ KEVIN E. THELEN
KEVIN E. THELEN
Attorneys for Defendants COUNTY OF
TULARE and STEVEN HENRY

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Dated: October 26, 2011

BOURDETTE AND PARTNERS

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By: /s/ PHILIP BOURDETTE
PHILIP BOURDETTE

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Attorneys for Plaintiff
DONNY Y. EARP

ORDER

GOOD CAUSE APPEARING, the Stipulation is approved. The dates for disclosure of experts are modified as stipulated above. All other dates and deadlines remain as set in the Scheduling Order.

IT IS SO ORDERED.

Dated: October 26, 2011

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE