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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**

10  
11 DONNY Y. EARP,

12 Plaintiff,

13 vs.

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

15 Defendants.  
16

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;  
27

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

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

- 12 1. The cut-off for expert discovery shall remain February 1, 2012
- 13 2. The cut-off for fact discovery shall remain February 1, 2012
- 14 3. The deadline for filing dispositive motions shall remain February 1, 2012
- 15 4. The deadline for filing non-dispositive motions shall remain February 1, 2012
- 16 5. The Pre-Trial Conference shall remain June 1, 2012
- 17 6. The trial date shall remain June 26, 2012.

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Dated: October 31, 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 31, 2011

BOURDETTE AND PARTNERS

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By: /s/ PHILIP BOURDETTE  
PHILIP BOURDETTE

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Attorneys for Plaintiff  
DONNY Y. EARP

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**ORDER**

IT IS SO ORDERED.

Dated: October 31, 2011

/s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE