

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dennis R. Thelen, SBN 83999
Kevin E. Thelen, SBN 252665
LEBEAU • THELEN, LLP
5001 East Commercenter Drive, Suite 300
Post Office Box 12092
Bakersfield, California 93389-2092
(661) 325-8962; Fax (661) 325-1127

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

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

DONNY Y. EARP,

Plaintiff,

vs.

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

Defendants.

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

The parties to the above referenced action, subject to the Court's approval, hereby stipulate to
the following:

WHEREAS the parties have recently stipulated and the Court has ordered a change in the expert
discovery disclosure dates in this case;

WHEREAS certain retained experts in this case have informed counsel who retained them that
significant difficulty, time, and expense will be encountered if the experts are required to generate a
report setting forth details regarding their prior deposition testimony and prior trial testimony as required
by Federal Rules of Civil Procedure Rule 26, as such reports are not currently in existence at this time;

///
///
///

1 The parties HEREBY AGREE, subject to the Court's approval, to modify the expert witness
2 disclosure requirements under Federal Rules of Civil Procedure Rule 26 as follows: :

3 1. No expert witness designation by either plaintiff or defendants will be required to include
4 a list or report from each expert witness setting forth details regarding their prior deposition testimony
5 and prior trial testimony for the past four years as required by Federal Rules of Civil Procedure Rule 26.

6 SO STIPULATED.

7
8
9 Dated: November 2, 2011

Respectfully submitted,
LeBEAU-THELEN, LLP

10
11 By: /s/ KEVIN E. THELEN
12 KEVIN E. THELEN
13 Attorneys for Defendants COUNTY OF
14 TULARE and STEVEN HENRY

15
16 Dated: November 2, 2011

BOURDETTE AND PARTNERS
By: /s/ PHILIP BOURDETTE
PHILIP BOURDETTE
Attorneys for Plaintiff
DONNY Y. EARP

17
18
19 **ORDER**

20
21 IT IS SO ORDERED.

22 Dated: November 2, 2011

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE