

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

LAWRENCE YOUNG,) 1:11-cv-590 GSA
Plaintiff,)
v.)
REEDLEY COMMUNITY COLLEGE;) **ORDER ELECTING NOT TO ADOPT
POLICE OFFICER F. URBA aka FELIPE) THE PARTIES' STIPULATION TO
URIBE; & STATE CENTER COMMUNITY) EXTEND CERTAIN DISCOVERY
COLLEGE DISTRICT) DEADLINES
Defendants.)**

On March 27, 2012, this Court issued its Scheduling Conference Order, setting all discovery and trial-related deadlines and hearing dates. (Doc. 30.)

On December 4, 2012, the parties filed a Stipulation to Modify the Scheduling Conference Order. More particularly, the parties seek to extend the deadlines for: non-expert discovery, the disclosure of expert witnesses, the disclosure of rebuttal expert witnesses, the expert discovery cut-off, as well as the filing of non-dispositive motions. (Doc. 31.)

For the reasons that follow, the Court will not adopt the parties' stipulation. *See Local Rule 143(b)* (Stipulations are not effective unless approved by the Court).

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First, although the parties indicate the need to modify the dates because Plaintiff's military service has impacted his accessibility, no specific information regarding this situation was provided to establish good cause for the modification request. Furthermore, the deadlines proposed by the parties are internally inconsistent. For example, the parties request May 16, 2013, June 16, 2013, for the disclosure of rebuttal expert witnesses, and expert discovery respectively, however, the proposed non-dispositive motion deadline is prior to that time on April 26, 2012. Similarly, under the controlling scheduling order issued on March 27, 2012, dispositive motions are scheduled for May 13, 2013. It is unclear to the Court how non-dispositive and dispositive motions can be filed prior to the completion of all discovery.

Similarly, the parties indicate that the matter will remain set for trial on September 24, 2013, however, this will not be possible because the non-dispositive and dispositive motion deadlines discussed above will need to be extended. Once this occurs, the pre-trial conference and the trial will necessary need to be continued. The parties are advised that this Court requires sixty days between the filing of dispositive motions, the pretrial conference, as well as the trial.

The parties may file another stipulation that incorporates the issues outlined above. However, unless the parties offer another stipulation that is adopted by the Court, the Scheduling Conference Order dated March 27, 2012, and all deadlines and dates referenced therein, remains in effect. (Doc. 30).

IT IS SO ORDERED.

Dated: December 6, 2012

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE