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13 IN THE UNITED STATES DISTRICT COURT
14
15 FOR THE EASTERN DISTRICT OF CALIFORNIA
16
17 FRESNO DIVISION

18 **SOLOMON T. STANLEY,**

1:11-cv-00981-LJO -GSA

19 Plaintiff,

**JOINT STIPULATION AND ORDER TO
MODIFY SCHEDULING ORDER**

20 v.

21 **STATE OF CALIFORNIA; CALIFORNIA
22 DEPARTMENT OF CORRECTIONS AND
23 REHABILITATION; and DOES 1 through
100, inclusive,**

No Hearing Requested

24 Defendants.

1 Pursuant to Federal Rule of Civil Procedure 16(b), Plaintiff SOLOMON T. STANLEY and
2 Defendant CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
3 (collectively, "Parties"), by and through their counsel of record, jointly request that the Court
4 modify the Scheduling Order (Document 9) to allow the parties sufficient additional time to
5 complete both non-expert and expert discovery.

6 The Parties hereby stipulate as follows:

7 1. The parties have attempted to comply with the Court's original Scheduling Order.
8 Despite those efforts, the Parties cannot reasonably complete non-expert and expert discovery
9 within the current case schedule. The Parties therefore request that the Court modify the non-
10 expert and expert discovery cutoffs by two months (as specifically set forth below), leaving in
11 tact all remaining case dates including the filing of pretrial motions, pretrial conference and trial.

12 2. The Parties represent that their inability to comply with the current case discovery
13 schedule was not foreseeable. Their inability is largely the result of deposition scheduling
14 difficulties presented by deponents (both parties and third parties) and counsel for the parties
15 being unavailable due to summer vacations, rendering it impossible for the parties to schedule and
16 complete non-expert depositions before the current non-expert discovery cut off of August 24,
17 2012.

18 3. In addition, Deputy Attorney General William H. Littlewood is currently transitioning
19 this matter to another attorney within the Attorney General's Office, Connie R. Broussard, in light
20 of his impending departure from Attorney General's Office. The parties agree that additional
21 good cause exists for the request brief extension of the non-expert and expert discovery cut-offs
22 to allow Ms. Broussard the opportunity to get up to speed with the instant case in order to take
23 over as attorney of record for the California Department of Corrections and Rehabilitation.

24 4. This is the Parties' first request to modify the Scheduling Order in this case.

25 5. The Parties therefore agree that there is good cause to extend the deadlines in this
26 case as follows, with the trial date, pretrial conference date and pretrial motion filing deadline
27 remaining the same:

28

Event	Original Date	Requested Date
Non-Expert Discovery Cutoff	August 24, 2012	October 24, 2012
Expert Disclosure	August 31, 2012	October 31, 2012
Supplemental Expert Disclosure	September 14, 2012	November 14, 2012
Expert Discovery Cutoff	October 12, 2012	December 12, 2012

7 SO STIPULATED.

8 Dated: July 31, 2012

Respectfully submitted,

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10 KAMALA D. HARRIS
11 Attorney General of California
SCOTT H. WYCKOFF
Supervising Deputy Attorney General

12 */s/ William H. Littlewood*

13 WILLIAM H. LITTLEWOOD
14 Deputy Attorney General
15 *Attorneys for Defendant CDCR*

17 Dated: July 31, 2012

Respectfully submitted,

18 Tomassian, Pimentel & Shapazian

19 */s/ Larry H. Shapazian*

20 LARRY H. SHAPAZIAN
21 *Attorneys for Plaintiff*

24 IT IS SO ORDERED.

25 Dated: August 6, 2012

26 /s/ Gary S. Austin
27 UNITED STATES MAGISTRATE JUDGE