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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10 WENDY WALSH, individually and as) Case No. 1:11-CV-01489-LJO-JLT
11 Successor-in-Interest to SETH WALSH,)
12 Deceased; and Sh.W., a minor, by his) **ORDER GRANTING STIPULATION**
13 Guardian ad Litem, WENDY WALSH,) **TO AMEND SCHEDULING ORDER**
14)
15 Plaintiffs,) **(Doc. 42)**
16 vs.)
17)
18 TEHACHAPI UNIFIED SCHOOL)
19 DISTRICT, et al.,)
20)
21 Defendants.)
22)
23)
24)
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26)
27)

20 Before the Court is the stipulation to amend the scheduling order to extend all dates
21 set forth in the scheduling order, including the trial date. (Doc. 42) The basis for this
22 request is the fact that Plaintiffs noticed 17 depositions to be taken between October 29,
23 2012 and November 14, 2012 but which could not proceed because Defendants' counsel,
24 Mr. Kellar, was involved in a trial. Id. at 3.

25 The parties explain also that they anticipate taking up to 30 depositions in addition
26 and that many of the percipient witnesses have not been located. Id. Finally, Plaintiffs
27 reports that they have been unable to obtain documents sought under FOIA. Id. at 3-4.

Though the Court lacks sufficient information explaining why Plaintiffs waited until so late in the discovery period to conduct their depositions or why, when it was apparent that they could not go forward as scheduled, the depositions were not immediately rescheduled or why the Court's intervention was not obtained at that time. Moreover, the Court lacks information regarding the efforts Plaintiffs have made to obtain the FOIA information or the efforts of the parties to locate the missing percipient witnesses.

ORDER

Despite the scant information provided in the stipulation, the Court will find minimal good cause to justify the amendment to the scheduling order as follows:

1. All non-expert discovery **SHALL** be completed no later than **May 24, 2013**;
2. Joint expert disclosure, in the manner required by the scheduling order, **SHALL** occur no later than **May 30, 2013**;
3. Joint rebuttal expert disclosure, in the manner required by the scheduling order, **SHALL** occur no later than **June 21, 2013**;
4. All expert discovery **SHALL** be completed no later than **July 19, 2013**;
5. Any nondispositive motions **SHALL** be filed no later than **July 19, 2013** and heard no later than **August 16, 2013**;
6. All dispositive pre-trial motions **SHALL** be filed no later than **July 11, 2013** and heard no later than **August 22, 2013**;
7. The settlement conference **SHALL** take place on September 19, 2013 at 10:00 a.m.;
8. The pre-trial conference **SHALL** take place on November 13, 2013 at 8:30 a.m. in Courtroom 4;
9. Trial **SHALL** take place on **January 7, 2014** at 8:30 a.m. in Courtroom 4;

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10. Each side may take up to 35 depositions.

No further amendments to the scheduling order will be authorized absent a showing of exceptional good cause.

IT IS SO ORDERED.

Dated: **December 7, 2012**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE