

1 **JAMES K. WARD, ESQ. (SBN 117639)**
 2 **DANIEL P. JAY, ESQ. (SBN 215860)**
 3 EVANS, WIECKOWSKI & WARD, LLP
 4 745 University Avenue
 5 Sacramento, CA 95825
 6 Telephone: (916)923-1600
 7 Facsimile: (916)923-1616
 8 Attorneys for Defendant
 9 TWAIN HARTE COMMUNITY SERVICES DISTRICT
 10 **PUBLIC ENTITY-FILING FEE WAIVED**

11 UNITED STATES DISTRICT COURT
 12 EASTERN DISTRICT OF CALIFORNIA

13 YVONNE HILTON ,)	Case No. 1:12-CV-01360-LJO-SMS
)	
14 Plaintiff,)	STIPULATION AND DECLARATION;
)	ORDER RE EXPERT DISCOVERY
15 vs.)	
)	
16 TWAIN HARTE COMMUNITY)	
17 SERVICES DISTRICT, and DOES ONE)	
18 THROUGH TWENTY, Inclusive,)	
)	
19 Defendants,)	
)	
)	
)	

20 IT IS HEREBY STIPULATED by Plaintiff, YVONNE HILTON, by and through her
 21 attorneys, and Defendant, TWAIN HARTE COMMUNITY SERVICES DISTRICT, by and
 22 through its attorneys, that the expert disclosure deadline of October 18, 2013 be continued to
 23 February 7, 2014; that the supplemental expert disclosure deadline of November 18, 2013 be
 24 continued to March 3, 2014; and that the expert discovery deadline of December 13, 2013 be
 25 continued to April 11, 2014 in order to allow the parties to avoid the expense of retaining experts
 26 until the Court hears dispositive motions in this case. This stipulation is based upon the
 27 following facts which the parties submit show good cause to continue the discovery cut-off date:
 28

1 1. That on December 7, 2012 the Court established an expert disclosure deadline of
2 October 18, 2013; a supplemental expert disclosure deadline of November 18, 2013; and an
3 expert discovery cut-off of December 13, 2013.
4

5 2. Since the initiation of this case the parties have engaged in extensive written
6 discovery including depositions, exchanges of written special interrogatories and requests for
7 production of documents. As a result, it is submitted that the parties have been diligent in regard
8 to discovery in this matter.
9

10 3. The parties to this case submit that good cause exists to adjust the expert
11 discovery deadlines in this case because it will allow the parties to avoid the expense of retaining
12 experts until after the Court hears dispositive motions in this case which are to be filed on or
13 before January 31, 2014. The avoidance of such costs may also help the parties in resolving this
14 case without a trial. Furthermore, the Court has already extended the non-expert discovery cut-
15 off to November 20, 2013 and it is difficult for the parties to engage in expert discovery before
16 non-expert discovery is finished.
17

18 Based upon the foregoing, the parties submit that good cause exists to continue the expert
19 disclosure deadline to February 7, 2014, the supplemental expert disclosure deadline to March 3,
20 2014, and the expert discovery deadline to April 11, 2014 in order to allow the parties to avoid
21 the expense of retaining experts until the Court hears dispositive motions in this case. Further,
22 good cause exists to continue the expert discovery dates because an amendment to the scheduling
23 order will cause no prejudice to either party since both parties have agreed to the continuance;
24 and because the adjustment of the discovery cutoff will not affect the other dates set by this
25 Court and the trial date will not need to be continued.
26
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1 Thus, the parties to this case have stipulated to continue the expert discovery cut-off date
2 as set forth above.

3 IT IS SO STIPULATED.

4
5 Dated: October 30, 2013

EVANS, WIECKOWSKI & WARD, LLP

6
7 /s/ Daniel Jay

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10 _____
11 JAMES K. WARD
DANIEL JAY

12 Attorneys for Defendant TWAIN HARTE
COMMUNITY SERVICES DISTRICT

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14 Dated: October 30, 2013

LAW OFFICES OF RAND L. STEPHENS

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16 /s/ Rand L. Stephens

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19 RAND L. STEPHENS
20 Attorney for Plaintiff YVONNE HILTON

21 **DECLARATION OF DANIEL JAY**

22 I, Daniel Jay, do hereby declare and say the following:

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24 1. I am one of the attorneys of record for Defendant in the above-entitled action. I
25 have prepared this Declaration as evidence in support of the parties' stipulation and request to
26 this Court to continue the expert discovery cutoff and related dates. The facts stated in the
27 stipulation set forth above are true and correct and based upon my personal knowledge.
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1 I declare under the penalty of perjury under the laws of the United States of America that
2 the facts stated above in the stipulation of the parties is true and correct. This Declaration was
3 executed on October 30, 2013 in Sacramento, California.
4

5 /s/ Daniel Jay
6 _____

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8 **DECLARATION OF RAND L. STEPHENS**

9 I, Rand L. Stephens, do hereby declare and say the following:

10 1. I am one of the attorneys of record for Plaintiff in the above-entitled action. I
11 have prepared this Declaration as evidence in support of the parties' stipulation and request to
12 this Court to continue the expert discovery cutoff and related date. The facts stated in the
13 stipulation set forth above are true and correct and based upon my personal knowledge.
14

15 I declare under the penalty of perjury under the laws of the United States of America that
16 the facts stated above in the stipulation of the parties is true and correct. This Declaration was
17 executed on October 30, 2013 in Martinez, California.
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19 /s/ Rand L. Stephens
20 _____

1 **ORDER**

2 Based upon the stipulation of the parties and good cause appearing, the Court orders that
3 the expert disclosure deadline be extended to February 7, 2014; that the supplemental expert
4 disclosure deadline be extended to March 3, 2014; and that the expert discovery deadline be
5 extended to April 11, 2014.
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7 IT IS SO ORDERED.

8 Dated: 10/31/2013

9 /s/ SANDRA M. SNYDER
10 UNITED STATES MAGISTRATE JUDGE
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