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23 **UNITED STATES DISTRICT COURT**  
24  
25 **EASTERN DISTRICT OF CALIFORNIA**  
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1 IRINA ENGERT, ANNE ENGERT, and RON  
2 ENGERT, Individually and as Successors-in-  
3 Interest to Glendon Engert,

4 Plaintiffs,

5 vs.

6 STANISLAUS COUNTY; SHERIFF ADAM  
7 CHRISTIANSON; ROBERT LEE PARIS, SR.  
8 and ELIZABETH JANE PARIS, PERSONAL  
9 REPRESENTATIVES TO THE ESTATE OF  
10 DEPUTY SHERIFF ROBERT LEE PARIS,  
11 JR.; DEPUTY MICHAEL GLINSKAS;  
12 SERGEANT MANUEL MARTINEZ;  
13 LIEUTENANT CLIFF HARPER; RT  
14 FINANCIAL, INC.; RONI ROBERTS; and  
15 DOES ONE through TWENTY-FIVE,  
16 inclusive,

17 Defendants.

18  
19 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs IRINA ENGERT,  
20 RON ENGERT and ANNE ENGERT, and Defendants COUNTY OF STANISLAUS, SHERIFF  
21 ADAM CHRISTIANSON, LIEUTENANT CLIFF HARPER, SERGEANT MANUEL MARTINEZ,  
22 DEPUTY MICHAEL GLINSKAS, the ESTATE OF DEPUTY ROBERT LEE PARIS, JR., RT  
23 FINANCIAL, INC., and RONI ROBERTS, (collectively, the "Parties"), by and through their  
24 undersigned Counsel, pursuant to Local Rules 143 and 144 as follows:

25 1. The Parties respectfully request the District Court modify the Scheduling Conference  
26 Order to allow approximately 90-120 additional days to complete non-expert and expert discovery,  
27 expert disclosures, and to file and hear dispositive motions, based on good cause appearing therefore as  
28 more fully set forth below. The Final Pretrial and Trial dates would remain the same.

2. On October 2, 2013 the Court issued its Initial Scheduling Order setting certain dates  
and deadlines, including discovery cut-offs, dispositive motion hearing deadlines and trial. Dckt. No.  
31.

**Case No.: 1:13-CV-00126-LJO-BAM**

**STIPULATED REQUEST TO MODIFY  
SCHEDULING ORDER; ORDER**

1           3.       On June 3, 2014, the Court modified the Scheduling Order at the request of the Parties  
2 based on the substitution of and addition of new counsel for Defendants SERGEANT MANUEL  
3 MARTINEZ, DEPUTY MICHAEL GLINSKAS, and ESTATE OF DEPUTY ROBERT LEE PARIS,  
4 JR. Dckt. No. 43.

5           4.       This the Parties' second stipulated request to modify the Scheduling Order.

6           5.       The Parties seek modification of the dates currently set for the close of non-expert and  
7 expert discovery, expert disclosures, and the deadlines to file and hear dispositive motions.

8           6.       The Parties submit good cause exists to modify the current scheduling order due to  
9 counsels' respective schedules, the remaining voluminous discovery that must be completed, and due  
10 to ongoing discovery issues related to various privileges and privacy concerns asserted over  
11 confidential medical type records of Plaintiff IRINA ENGERT and decedent Glendon Engert. The  
12 issues involving discovery of those medical type records is now pending before the Court. The Parties  
13 have met and conferred regarding the discovery issues and deposition scheduling, and have agreed that  
14 approximately 90-120 additional days will be necessary to resolve the pending discovery issues and  
15 complete non-expert and expert discovery.

16           7.       The Parties submit that the movement of dates will allow counsel to properly complete  
17 non-expert and expert discovery, expert disclosures, and prepare and file dispositive motions. The  
18 Parties submit that the proposed modified dates will not affect the Pretrial Scheduling Conference or  
19 trial date.

20           8.       Therefore, the Parties respectfully submit that good cause exists to amend the  
21 Scheduling Conference Order dated June 3, 2014, and hereby propose the following schedule for  
22 further proceedings:

	<u>Current Date</u>	<u>Proposed Date</u>
<u>Expert Disclosure:</u>	November 7, 2014	<b>January 21, 2015</b>
<u>Non-Expert Discovery Cutoff:</u>	December 18, 2014	<b>January 30, 2015</b>
<u>Supplemental Expert Disclosure:</u>	November 21, 2014	<b>February 11, 2015</b>
<u>Expert Discovery Cutoff:</u>	January 30, 2015	<b>March 6, 2015</b>
<u>Pretrial Motion Filing Deadline:</u>	February 27, 2015	<b>March 16, 2015</b>

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1           Pretrial Motion Hearing Deadline:   April 1, 2015                                 **May 1, 2015**

2           Final Pretrial Conference:                 June 25, 2015                                 **Unchanged**

3           Trial:   August 4, 2015                                 **Unchanged**

4           IT IS SO STIPULATED.

5   Respectfully submitted,

6           Dated: October 8, 2014

7           WALKUP, MELODIA, KELLY & SCHOENBERGER

8           By        /s/ Richard H. Schoenberger  
9                         Richard H. Schoenberger  
10                         Spencer J. Pahlke  
11                         Attorneys for Plaintiffs  
12                         IRINA ENGERT, ANNE ENGERT, and RON ENGERT

13           Dated: October 8, 2014

14           PORTER SCOTT  
15           A PROFESSIONAL CORPORATION

16           By        /s/ Terence J. Cassidy  
17                         Terence J. Cassidy  
18                         Lauren E. Calnero  
19                         Attorneys for Defendants  
20                         COUNTY OF STANISLAUS; SHERIFF ADAM  
21                         CHRISTIANSON; LIEUTENANT CLIFF HARPER

22           Dated: October 8, 2014

23           RIVERA & ASSOCIATES

24           By        /s/ Jesse M. Rivera  
25                         Jesse M. Rivera  
26                         Attorney for Defendant  
27                         SERGEANT MANUEL MARTINEZ

28           Dated: October 8, 2014

          GOYETTE & ASSOCIATES

          By        /s/ Sean D. O'Dowd  
                       Sean D. O'Dowd  
                       Attorney for Defendant  
                       SERGEANT MANUEL MARTINEZ

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Dated: October 8, 2014

ANGELO, KILDAY & KILDUFF, LLP

By /s/ Amie McTavish  
Bruce Kilday  
Amie McTavish  
Attorney for Defendants  
DEPUTY MICHAEL GLINSKAS and ESTATE OF  
DEPUTY ROBERT PARIS, JR.

Dated: October 8, 2014

BORTON PETRINI, LLP

By /s/ Cornelius J. Callahan  
Cornelius John Callahan  
Attorney for Defendant RONI ROBERTS

Dated: October 8, 2014

MICHAEL S. WARDA, A PROFESSIONAL LAW  
CORPORATION

By /s/ Michael S. Warda  
Michael S. Warda  
Attorney for Defendant RT FINANCIAL, INC.

