

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

HIRSCHFELD KRAEMER LLP
ATTORNEYS AT LAW
SANTA MONICA

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT**

DANIEL SWAN,

Plaintiff,

vs.

SAN JOAQUIN VALLEY
COLLEGE, INC., a California
corporation, MELISSA GRIMSLEY,
an individual, KERRIE LILES, an
individual, and DOES 1 through 20,
inclusive,

Defendants.

Case No. 13-cv-01073 LJO GSA

**ORDER GRANTING STIPULATION
TO AMEND SCHEDULING ORDER**

Complaint Filed: June 3, 2013

ORDER

1
2 Having reviewed the parties' Stipulation to Amend Scheduling Order (Doc.
3 19), and good cause appearing therefor, the Court ORDERS as follows:

4 1. The Non-Expert Discovery Cutoff shall be May 15, 2014 (instead of
5 April 1, 2014, as originally scheduled).

6 2. Expert Disclosures shall be made by June 1, 2014 (instead of May 1,
7 2014, as originally scheduled);

8 3. Supplemental Expert Disclosures shall be made by June 30, 2014
9 (instead of May 15, 2014, as originally scheduled);

10 4. The Expert Discovery Cutoff shall be July 15, 2014 (instead of July 1,
11 2014, as originally scheduled).

12 5. All other dates set forth in the Scheduling Order are unchanged.

13 6. During the leave of absence of Defendant, Melissa Grimsley, from her
14 employment with Defendant, San Joaquin Valley College, Inc., all discovery is
15 stayed. Defendants shall have 21 days from the date of Ms. Grimsley's return to
16 respond to any outstanding written discovery (so long as Ms. Grimsley's return is
17 within one week of the scheduled return date of February 27, 2014, i.e., by March
18 6, 2014). If Ms. Grimsley does not return to work at SJVC by March 6, 2014,
19 counsel for Defendants shall promptly meet and confer with Plaintiff's counsel,
20 and, if the parties are unable to reach an agreement, the parties shall first attempt to
21 resolve any dispute through an informal telephonic hearing before the Court
22 (Magistrate Judge Gary Austin).

23 7. Notwithstanding the stay referenced in Paragraph 7, above, the parties
24 agree to discuss informally producing, to the extent possible without the input of
25 Ms. Grimsley, limited electronically stored information ("ESI"). This informal
26 document production is without prejudice to the right of Plaintiff to move to
27 compel further production at a later date, after service of written discovery
28 responses, and without prejudice to the right of Defendants to produce additional

1 documents and/or move for a protective order with regard to such document
2 requests and production of documents, subject to the Local Rules of this Court as
3 well as the Federal Rules of Civil Procedure.
4
5
6
7
8

9 IT IS SO ORDERED.

10 Dated: November 21, 2013

/s/ Gary S. Austin
11 UNITED STATES MAGISTRATE JUDGE
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28