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7 Attorney for Plaintiff

8 IN THE DISTRICT COURT OF THE UNITED STATES OF AMERICA
9 EASTERN DISTRICT OF CALIFORNIA
10 FRESNO DIVISION

11
12 HARVEY HOLCOMB,)
13 *Plaintiff,*) No. 1:13-CV-01102-AWI-SKO
14 v.) STIPULATION AND ORDER
15) AMENDING SCHEDULING ORDER
16 JERRY RAMAR, a Modesto police officer;)
17 OFFICER KROUTIL, a Modesto police officer;)
18 OFFICER COX, a Modesto police officer;)
19 OFFICER BOTTOMS, a Modesto police officer;)
20 OFFICER CICCARELLI, a Modesto police)
21 officer; J. CHANDLER, a Modesto police officer;)
22 JOHN DOE and RICHARD ROE, Modesto)
23 police officers, the true names and exact numbers)
24 of whom are unknown at this time; CITY OF)
25 MODESTO, a municipal corporation,)
26 *Defendants.*)

27 This matter was originally filed by Plaintiff Harvey Holcomb on or about July 17, 2013. Thereafter and
28 on December 16, 2013, the Court issued a scheduling order setting the various pretrial and trial dates for this
matter. In response to that scheduling order, the parties diligently proceeded to complete the necessary
discovery and prepare for any potential motions until Defendants' counsel of record retired. Although
Defendants have now retained new counsel after prior counsel retired, the parties are desirous of amending the

1 court's prior scheduling order as necessary to assure neither party is prejudiced as well as provide additional
2 opportunities for the parties to attempt to resolve the pending disputes.

3 **IT IS HEREBY STIPULATED** by and between the parties hereto through their respective attorneys of
4 record that having met and conferred regarding the respective calendars of counsel that the Scheduling Order
5 shall be amended as follows:

- 6 1. Fact discovery cutoff date is March 13, 2015;
- 7 2. Disclosure of expert witnesses is March 27, 2015;
- 8 3. Disclosure of supplemental expert witnesses is April 10, 2015;
- 9 4. Expert discovery cutoff date is April 24, 2015;
- 10 5. Last day for non-dispositive motions to be filed is May 1, 2015;
- 11 5. Last day for dispositive motions to be heard is June 8, 2015;
- 12 6. The pre-trial conference will be conducted on July 29, 2015 at 8:30 a.m. in Courtroom 2;
- 13 7. Trial shall commence on September 22, 2015 at 8:30 a.m. in Courtroom 2.

14 This request is submitted jointly on behalf of plaintiff's counsel and defendants' counsel. Therefore
15 counsel request a six month continuance for the trial and other dates. As stated above, defense counsel
16 substituted in as a result of the departure of former counsel, and upon meeting and conferring with plaintiff's
17 counsel it was decided that additional time was needed to conduct discovery, narrow the issues, and put this
18 case in a position for settlement and trial, if necessary. No
19 party will be prejudiced by this six month extension of time, and the parties believe that both sides will be
20 prejudiced should this stipulation not be granted.

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Dated: 20 October 2014

/s/ Anthony Boskovich

ANTHONY BOSKOVICH,
Attorney for Plaintiff

Dated: 21 October 2014

/s/ Kevin Gilbert

Kevin Gilbert
Attorney for Defendants

ORDER

IT IS SO ORDERED.

Dated: October 21, 2014



SENIOR DISTRICT JUDGE