

1 Anthony Boskovich, No. 121198
 2 Law Offices of Anthony Boskovich
 3 28 N. First Street, 6th Floor
 4 San Jose, California 95113-1210
 5 (408) 286-5150
 6 policemisconduct@compuserve.com

7 Attorney for plaintiff HARVEY HOLCOMB

8 **UNITED STATES DISTRICT COURT**

9 EASTERN DISTRICT OF CALIFORNIA

10 HARVEY HOLCOMB,

Case No. 1:13-cv-01102-AWI-SKO

11 Plaintiff,

**STIPULATION AND ORDER
 EXTENDING DISCOVERY CUT-OFF**

12 v.

13
 14 JERRY RAMAR, a Modesto Police officer;
 15 OFFICER KROUTIL, a Modesto Police
 16 officer; OFFICER COX, a Modesto Police
 17 officer; OFFICER BOTTOMS, a Modesto
 18 Police officer; OFFICER CICCARELLI, a
 19 Modesto Police officer; J. CHANDLER, a
 20 Modesto Police officer; JOHN DOE and
 21 RICHARD ROE, Modesto police officers, the
 22 true names and exact numbers of whom are
 23 unknown at this time; CITY OF MODESTO, a
 24 municipal corporation,

25 Defendants.

26 **STIPULATION**

27 The parties to this Stipulation are Plaintiff HARVEY HOLCOMB (“Plaintiff” or
 28 “Holcomb”) and Defendants CITY OF MODESTO, JERRY RAMAR, JAIME COX, BEN
 KROUTIL, JOSEPH BOTTOMS, TOM CICCARELLI and JEANNE CHANDLER
 (“Defendants”), collectively, (“Parties”).

WHEREAS, the Parties have been working cooperatively to complete the necessary
 discovery by the current deadline of July 1, 2015. Defendants agreed that they would supplement

1 their responses to written discovery that had been answered by former counsel and that plaintiff
2 would depose some or all of the individually named defendants after that supplementation. Two
3 defendants are no longer employed by the City of Modesto and counsel for defendants had an
4 intervening trial, so supplemental responses were served on plaintiff on June 23, 2015, thus
5 precluding depositions within the current schedule. Accordingly, the parties are requesting a brief
6 continuance of the discovery cut-off and expert disclosures to August 15, 2015. The Parties are
7 not requesting that the dispositive motions date, pretrial conference, or trial be continued and do
8 not believe that the brief extension requested will interfere in any way with the trial date of
9 January 12, 2016.

10 The discovery that plaintiff will do is the depositions of the defendants. The parties will
11 also meet and confer regarding potential disputes regarding the written discovery that will be
12 resolved by the new deadline.

13 WHEREFORE, the Parties agree and stipulate that the scheduling order be amended as
14 follows:

<u>Case Management Event:</u>	<u>Prior-Operative Date- Deadline:</u>	<u>Stipulated-Deadline:</u>
Non-Expert Discovery Deadline	July 1, 2015	August 15, 2015
Expert Disclosures	July 10, 2015	August 15, 2015
Rebuttal-Supplemental Expert Disclosures	July 24, 2015	August 28, 2015
Expert Discovery Deadline	August 7, 2015	September 11, 2015

19 All other dates remain as set.

20 IT IS SO STIPULATED.

21 DATED: June 25, 2015

By: /S/ Blake P. Loeb

Blake P. Loeb

Kevin P. McLaughlin

MEYERS, NAVE, RIBACK, SILVER &
WILSON

Attorney for Defendants

25 DATED: June 25, 2015

By: /S/ Anthony Boskovich

Anthony Boskovich

LAW OFFICES OF ANTHONY
BOSKOVICH

Attorney for Plaintiff

HARVEY HOLCOMB

ORDER

An informal telephonic conference was held on June 30, 2015; Anthony Boskovich, Esq., appeared on behalf of the Plaintiff; Blake Loeb, Esq., appeared on behalf of the Defendants.

Good cause appearing, the Parties' stipulated request for an extension of discovery deadlines will be granted in part. To best accommodate the Parties' request and the Court's calendar, IT IS HEREBY ORDERED that the dates be extended as follows:

<u>Case Management Event:</u>	<u>Prior-Operative Date-Deadlines:</u>	<u>Parties' Requested Deadlines:</u>	<u>Final Deadlines:</u>
Non-Expert Discovery Deadline	July 1, 2015	August 15, 2015	August 15, 2015
Expert Disclosures	July 13, 2015	August 15, 2015	August 15, 2015
Rebuttal-Supplemental Expert Disclosures	July 24, 2015	August 28, 2015	August 28, 2015
Expert Discovery Deadline	August 7, 2015	September 11, 2015	September 11, 2015
Non-Dispositive Motion Filing Deadline	July 31, 2015	Unchanged	August 12, 2015
Non-Dispositive Motion Hearing Deadline	None	Unchanged	September 9, 2015
Dispositive Motion (MSJ) Filing Deadline	None	August 10, 2015	August 17, 2015
Dispositive Motion (MSJ) Hearing Deadline	September 7, 2015	Unchanged	September 21, 2015
Final Pre-Trial Conference	November 4, 2015 10:00 a.m., Ctrm 2	Unchanged	Unchanged
TRIAL	January 12, 2016 8:30 a.m., Ctrm 2 Jury Trial	Unchanged	Unchanged

IT IS SO ORDERED.

Dated: June 30, 2015

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE