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21 UNION PACIFIC RAILROAD COMPANY

22 **UNITED STATES DISTRICT COURT**

23 **EASTERN DISTRICT OF CALIFORNIA**

24 TREVOR WEEKS

25 Plaintiff,

26 v.

27 UNION PACIFIC RAILROAD COMPANY,
28 a Delaware Corporation

Defendant.

Case No. 1:13-cv-01641-AWI-JLT

**STIPULATION TO MODIFY THE
PRETRIAL SCHEDULING ORDER**

(Doc. 23)

1 Plaintiff Trevor Weeks and Defendant Union Pacific Railroad Company submit the
2 following stipulation to modify the Court's pretrial Scheduling Order. (Doc. No. 11).

3 On January 23, 2014, the Court issued a Scheduling Order with deadlines for non-expert
4 and expert discovery. (Doc. No. 11). On October 9, 2014, the Court signed a stipulated Order
5 extending non-expert discovery cut-off until December 31, 2014. (Doc. No. 22). On December 4,
6 2014, Defendant began taking Plaintiff's deposition, but was unable to complete the deposition in
7 one day. Due to commitment over the upcoming Christmas holiday as well as commitments in
8 other cases, the parties are unable to schedule a time to finish Plaintiff's deposition until January
9 2015. The parties are meeting and conferring for the date to complete Plaintiff's deposition in
10 early January 2015. As such, the parties respectfully request the Court extend the non-expert
11 discovery deadline to January 31, 2015. This extension will not affect any of the other pretrial
12 deadlines the Court set in this case.

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14 DATED: December 16, 2014

SMITH JOHNSON, INC.

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By: /s/ William J. Smith (as authorized on 12/13/14)
William J. Smith

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Attorneys for Plaintiff
TREVOR WEEKS

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19 DATED: December 16, 2014

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

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By: /s/ Jill V. Cartwright

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Charles L. Thompson, IV
Jill V. Cartwright

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Attorneys for Defendant
UNION PACIFIC RAILROAD COMPANY

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ORDER

Based upon the stipulation of the parties, the Court **ORDERS:**

- 1. The stipulation (Doc. 23) is **GRANTED**. The non-expert discovery deadline is extended to January 31, 2015;
- 2. No other modifications to the case schedule are authorized.

Absolutely no further requests to modify the scheduling order will be permitted.¹

IT IS SO ORDERED.

Dated: **December 16, 2014**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

¹ When the Court last granted the stipulation to amend the scheduling order, it stated in the order, “No other deadlines set forth in the scheduling order are authorized to be amended. **Further, counsel are advised that no further requests to modify the scheduling order will be entertained absent a showing of exceptional good caused.** They are urged in the strongest of terms to complete the needed discovery as soon as possible.” (Doc. 22 at 3) In granting the stipulation here, the Court does not mean to imply that this showing has been made; it has not. However, because of the crucial nature of the completion of Plaintiff’s deposition, the Court will allow this final amendment to the case schedule.