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17 *Exempt from Filing Fees Pursuant to Government Code § 6103*

18 UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF CALIFORNIA

19 ERICA FIGUEROA, an individual,

CASE NO. 1:14-cv-00496-LJO-GSA

20 Plaintiff,

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

21 vs.

22 REGENTS OF THE UNIVERSITY OF  
23 CALIFORNIA,

24 Defendant.

FAC Filed: May 5, 2014

Complaint Filed: April 8, 2014

25 The parties, by and through their counsel of record, jointly request that the Court modify  
26 the Scheduling Conference Order entered on October 6, 2014 (Docket #11) as follows:

27 a. Move the discovery deadlines for expert disclosure from May 29, 2015 to July 10,  
28 2015; non-expert discovery cut-off from August 28, 2015 to September 28, 2015; and  
the expert discovery cut-off from August 28, 2015 to October 16, 2015.

b. Move the motion filing deadline for non-dispositive motions from September 11, 2015

1 to October 30, 2015. The deadline for filing dispositive motions will remain the same.

2 These requested changes do not affect the trial date or any other deadlines. The parties  
3 jointly seek these changes for the reasons set forth in this stipulated request.

4 **SETTLEMENT CONFERENCE ACTIVITIES**

5 1. This action was filed on April 8, 2014. The Court initially set a scheduling  
6 conference for July 10, 2014. (Docket # 3) That date was later changed to September 15, 2014.  
7 (Docket # 6) The Court issued its Scheduling Conference Order on October 6, 2014, which  
8 included a directive that the parties contact the court if they believed a settlement conference  
9 would be beneficial. (Docket # 11) The parties asked that an early settlement conference be held.

10 2. Pursuant to the parties' request, an order setting a settlement conference was issued  
11 on November 12, 2014. (Docket # 12) The Court conducted a settlement conference session on  
12 January 20, 2015. Although no settlement was reached on that date, with the Court's  
13 encouragement the parties agreed to continue settlement discussions. A further settlement  
14 conference is set for March 5, 2015.

15 3. Both parties timely made their initial disclosures, as required by Rule 26. The  
16 depositions of Plaintiff and a key defense witness were taken before the January settlement  
17 conference. Both parties agree there are several more depositions that need to be taken and  
18 records that need to be obtained from third parties via subpoenas. Both parties anticipate retaining  
19 expert witnesses. Due to the considerable expenses that accompany these actions, carrying them  
20 out concurrently with settlement negotiations may impede the latter process, rather than enhance  
21 the possibility of a resolution. Accordingly, the parties request that the Scheduling Conference  
22 Order be slightly modified to allow them to put all resources toward getting the case settled, yet  
23 still have adequate time to complete expert and non-expert discovery if no resolution is reach.

24 **CONCLUSION**

25 4. In light of the ongoing settlement activities, the parties jointly request the following  
26 modification to the Scheduling Conference Order:

- 27 (a) Expert Disclosure: July 10, 2015  
28 (b) Non-expert Discovery Cut-off: September 28, 2015  
(c) Expert Discovery Cut-off: October 16, 2015

1 (d) Non-dispositive Motion Filing Deadline: October 30, 2015

2 Dated: February 23, 2015

PORTER SCOTT  
A PROFESSIONAL CORPORATION

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5 By /s/ Nancy J. Sheehan  
Nancy J. Sheehan  
6 Douglas L. Ropel  
7 Attorneys for Defendant

8 Dated: February 23, 2015

LAW OFFICES OF MATTHEW F. BAHR

9  
10 By /s/ Matthew F. Bahr as approved on 02/19/15  
11 Matthew F. Bahr  
12 Attorneys for Plaintiff

**ORDER**

13 The Court adopts the parties' stipulation set forth above. Accordingly, the Scheduling  
14 Order entered on October 26, 2014 (Doc. 11), is modified as follows: expert disclosure deadline  
15 extended to July 10, 2015; non-expert discovery cut-off extended to September 25, 2015; and  
16 expert discovery cut-off extended to October 16, 2015. In addition, the non-dispositive motion  
17 filing deadline shall be October 30, 2015. Other dates and deadlines specified in the Scheduling  
18 Order remain in full force and effect.

19  
20  
21 IT IS SO ORDERED.

22  
23 Dated: February 23, 2015

/s/ Gary S. Austin  
24 UNITED STATES MAGISTRATE JUDGE

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