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8 Attorneys for Plaintiff
9 GORDON C. REID

10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA

12 GORDON C. REID,

13 Plaintiff,

14 v.

15 UNITED STATES OF AMERICA; FIRST
16 NAME UNKNOWN (“FNU”) GARCIA,
17 CAPTAIN OF THE GUARDS; R. FENTON,
18 LIEUTENANT OF THE GUARDS; JOHN
19 DOE #1, LIEUTENANT OF THE GUARDS;
20 JOHN DOE #2, LIEUTENANT OF THE
21 GUARDS; JOHN DOE #3, LIEUTENANT OF
22 THE GUARDS; J. ONTIVEROZ, PRISON
23 GUARD.

24 Defendants.

CASE NO.: 1:14-cv-01163 JLT

**JOINT STIPULATION AND
[PROPOSED] ORDER TO AMEND
THE SCHEDULING ORDER**

(Doc. 112)

JOINT STIPULATION

1
2 Plaintiff Gordon C. Reid (“Plaintiff”) and Defendants United States of America, Jason
3 Ontiveroz, and Ray Garcia (collectively “Defendants”, together with Plaintiff, the “Parties”),
4 through their respective counsel, represent and stipulate to the following:

5 1. On July 22, 2021, the Court issued a scheduling order setting the non-expert
6 discovery cut-off date as January 28, 2022.

7 2. On August 13, 2021, the parties served Initial Disclosures.

8 3. On September 3, 2021, Defendants produced to Plaintiff more than 250 pages of
9 documents. On September 7, 2021, Defendants produced to Plaintiff two videos.

10 4. On September 15, 2021, Plaintiff propounded First Sets of Requests for
11 Production of Documents and Interrogatories to Defendants. Under Federal Rules of Civil
12 Procedure 33 and 34, Defendants’ deadline to respond to this discovery was October 15, 2021.

13 5. Plaintiff twice agreed to two-week extensions of Defendants’ time to respond to
14 Plaintiff’s discovery requests (for a total extension of four weeks) due to the death of defense
15 counsel’s mother.

16 6. On November 12, 2021, Defendants served their responses and objections to
17 Plaintiff’s discovery requests.

18 7. On December 2, 2021, Defendants produced approximately 1,500 pages of
19 additional documents and two additional videos to Plaintiff in response to Plaintiff’s discovery
20 requests.

21 8. On December 2, 2021, Defendants served document requests and interrogatories
22 on Plaintiff, the responses to which will be due on January 3, 2022.

23 9. Plaintiff intends to notice the depositions of Defendant Ray Garcia, Defendant
24 Jason Ontiveroz, and several others, and Defendants intend to depose Plaintiff (who is
25 incarcerated, which likely will make scheduling difficult). The Parties are working together to
26 identify mutually convenient dates for these depositions. They had identified some deposition
27 dates in mid-December, but those dates now do not work because of Plaintiff’s counsel’s
28 upcoming trial conflict described below.

1 10. Plaintiff's lead counsel is set to begin trial in another case, captioned *United States*
2 *v. Balwani et al.*, No. 5:18-cr-002580EJD, before the United States District Court for the
3 Northern District of California, on January 11, 2022.

4 11. The Parties have met and conferred regarding the scheduling order and believe that
5 there is good cause to continue the deadlines in the scheduling order by 45 days.

6 THEREFORE, the parties agree to the proposed adjusted schedule below and
7 respectfully request that the Court amend the scheduling order as follows:

Event	Current Date	Proposed New Date
Non-Expert Discovery Cut Off	1/28/2022	3/14/2022
Expert Disclosures	2/11/2022	3/28/2022
Rebuttal Expert Disclosures	3/11/2022	4/25/2022
Expert Discovery Cut Off	4/15/2022	5/27/2022
Non-Dispositive Motions Filed By	4/29/2022	6/13/2022
Non-Dispositive Motions Hearing	5/27/2022	7/11/2022
Dispositive Motions Filed By	6/14/2022	7/29/2022
Dispositive Motions Hearing	7/26/2022	9/9/2022
Pre-Trial Conference	9/20/2022	11/4/2022

15
16
17
18 Dated: December 3, 2021

ORRICK, HERRINGTON & SUTCLIFFE

19 By: /s/ Stephen A. Cazares

20 STEPHEN A. CAZARES
Attorneys for Plaintiff Gordon C. Reid

21
22 Dated: December 3, 2021

PHILLIP A. TALBERT
Acting United States Attorney

23
24 By: /s/ Victoria L. Boesch

25 VICTORIA L. BOESCH
Assistant United States Attorney
Attorneys for the United States, Ontiveroz, and
26 Garcia

