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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
10

11 ROBERT FEIGER,

12 Plaintiff,

13 v.

14 MARLENE SMITH, et al.,

15 Defendants.
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) No. 1:14-cv-01920-DAD-EPG (PC)

) **SECOND STIPULATION TO AMEND**
) **SCHEDULING ORDER; ORDER**

1 Plaintiff, Robert Feiger (“Plaintiff”), and Defendants, Natalie Clark, Marlene
2 Robicheaux-Smith, and Antoneya Graves (“Defendants,” and together with Plaintiff, “the
3 Parties”), together request that the Court amend the Scheduling Order as follows:

4 **WHEREAS**, the Parties previously requested an amendment to the Scheduling Order,
5 which request was granted on July 14, 2017 (Dkt. 92);

6 **WHEREAS**, since the initial extension of the Scheduling Order deadlines, the Parties
7 have exchanged extensive written discovery, and the deposition of Plaintiff has been
8 conducted, although additional time to complete the deposition will be required;

9 **WHEREAS**, as a result of the discovery undertaken, the Parties have engaged in
10 settlement discussions and wish to fully explore and exhaust such settlement discussions before
11 expending additional time completing discovery and consuming judicial resources;

12 **WHEREAS**, communication of settlement offers is more time consuming than is
13 traditionally the case given the incarceration of Plaintiff, coupled with the necessary various
14 entities required on Defendants’ part to make, respond to, and where appropriate, authorize,
15 settlement offers. Such additional time frustrates the Parties’ abilities to promptly explore
16 settlement;

17 **WHEREAS**, based on the foregoing, the Parties wish to extend the current deadlines
18 by thirty days while they explore settlement.

19 **NOW, THEREFORE, THE PARTIES, THROUGH THEIR RESPECTIVE**
20 **COUNSEL, HEREBY STIPULATE AND AGREE** to amend the Scheduling Order as
21 follows:

<u>Event</u>	<u>Current Date</u>	<u>New Date</u>
22 Non-expert discovery cutoff	November 10, 2017	December 11, 2017
23 Expert discovery cutoff	January 31, 2018	March 2, 2018
24 Expert disclosures	December 12, 2017	January 12, 2018
25 Rebuttal expert disclosures	January 11, 2018	February 12, 2018
26 Dispositive motion filing 27 deadline	April 11, 2018	May 11, 2018

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SECOND STIPULATION TO AMEND SCHEDULING ORDER; ORDER

1 The Parties additionally stipulate to continue the Discovery Status Conference set for
2 October 24, 2017, to a date on or after November 27, 2017 at the Court's convenience.

3 All other requirements set forth in the Scheduling Order relating to the above shall
4 remain unchanged, including the pre-trial date of and trial dates.

5 **IT IS SO STIPULATED.**

6 Dated: October 3, 2017

MISSION LAW FIRM, A.P.C.

7 /s/ Tanya E. Moore

8 Tanya E. Moore
9 Attorney for Plaintiff,
Robert Feiger

10 Dated: October 4, 2017

LeBEAU – THELEN, LLP

11 /s/ Thomas P. Feher

12 Thomas P. Feher
13 Attorneys for Defendant,
Natalie Clark

14
15 Dated: October 3, 2017

RIVERA & ASSOCIATES

16 /s/ Jonathan B. Paul

17 Jonathan B. Paul
18 Attorneys for Defendant,
Marlene Robicheaux-Smith

19 Dated: October 3, 2017

WILLIAMS & ASSOCIATES

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21 /s/ Martha M. Stringer

22 Martha M. Stringer
23 Attorneys for Defendant,
Antoneya Graves

ORDER

The Parties having so stipulated and good cause appearing,

IT IS HEREBY ORDERED that the Amended Scheduling Order, dated July 14, 2017 (ECF No. 92), is amended as follows:

<u>Event</u>	<u>Current Date</u>	<u>New Date</u>
Non-expert discovery cutoff	November 10, 2017	December 11, 2017
Expert discovery cutoff	January 31, 2018	March 2, 2018
Expert disclosures	December 12, 2017	January 12, 2018
Rebuttal expert disclosures	January 11, 2018	February 12, 2018
Dispositive motion filing deadline	April 11, 2018	May 11, 2018

IT IS FURTHER ORDERED that the telephonic Discovery Status Conference currently set for October 24, 2017 is continued to December 6, 2017, at 2:00 p.m., in Courtroom 10 before Magistrate Judge Erica P. Grosjean. The Parties have leave to appear by phone. To join the conference, each party is directed to call the toll-free number (888) 251-2909 and use Access Code 1024453. Up until two weeks before the discovery conference, the parties may file a motion to compel further discovery responses. One week before the discovery conference, the responding party may file a response to the motion to compel. The motion should include a copy of the request(s) and any response to the request(s) at issue. Unless there is a need for discovery prior to the discovery conference, motions to compel will not be considered until the discovery conference. Motions to compel will not be permitted after the discovery conference absent good cause. The parties should be prepared to address all discovery disputes at the discovery conference.

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All other requirements set forth in the Scheduling Order relating to the above shall remain unchanged, including the pre-trial and trial dates.

IT IS SO ORDERED.

Dated: October 5, 2017

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE