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 9 **of Kern and Deputy Reed**

10 **UNITED STATES DISTRICT COURT**
 11 **EASTERN DISTRICT OF CALIFORNIA**

12 **D.G., a minor, by and through his) CASE NO. 1:15-CV-00760 JAM-JLT**
 13 **guardian *ad litem*, Denise Bonilla,)**
 14 **individually and as successor-in-interest) STIPULATION TO AMEND THE**
 15 **to David Garcia, deceased; D.E.G., a) SCHEDULING ORDER TO EXTEND**
 16 **minor, by and through her guardian *ad) EXPERT DISCOVERY***
 17 ***litem*, Denise Bonilla, individually and)**
 18 **as successor-in-interest to David Garcia,)**
 19 **deceased; G.D., a minor, by and)**
 20 **through her guardian *ad litem*, Denise)**
 21 **Bonilla, individually and as successor-)**
 22 **in-interest to David Garcia, deceased;)**
 23 **RAMONA RAMIREZ NUNEZ,)**
 24 **individually;)**
 25 **Plaintiffs,)**
 26 **vs.)**
 27 **COUNTY OF KERN; DOES 1)**
 28 **THROUGH 10;)**
Defendants.) [ALL PARTIES REQUEST A JURY]
 _____)

23 **COME NOW** the Parties in this matter, and present this Stipulation for a Short
 24 Discovery Extension.

25 Plaintiffs, D.G., a minor, by and through his guardian ad litem, Denise Bonilla; D.E.G.,
 26 a minor, by and through her guardian ad litem, Denise Bonilla; G.D., a minor, by and through
 27 her guardian ad litem, Denise Bonilla; and Ramona Ramirez Nunez, (hereinafter collectively

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1 “Plaintiffs”) are jointly represented by Matthew C. Clark and Neil K. Gehlawat of Chain-
2 Cohn-Stiles, and Dale K. Galipo of the Law Offices of Dale K. Galipo.

3 Defendants, County of Kern (hereinafter “County”) and Deputy Robert Reed
4 (hereinafter “Reed”), (hereinafter collectively “Defendants”) are represented by Andrew C.
5 Thomson and Kathleen Rivera, Office of Kern County Counsel.

6 Plaintiffs and Defendants are hereinafter collectively referred to as the “Parties.”

7 **IT IS HEREBY STIPULATED AND AGREED TO**, by and between the Parties, through
8 their respective counsel of record, that an Order be entered modifying the Scheduling Order as
9 follows: a) extend the Rule 26 Designation of Expert Witnesses to July 15, 2016; b) extend the
10 Rule 26 Designation of Supplemental Experts to July 22, 2016; c) extend the expert discovery
11 deadline to August 19, 2016; and d) maintaining the current “non-expert discovery” deadline
12 of July 15, 2016.

13 1. Whereas, the Parties have repeatedly met and conferred regarding discovery and
14 expert witness discovery issues in an effort to informally resolve discovery and expert issues,
15 including deposition scheduling and designation concerns;

16 2. Whereas, the Parties continue to schedule the depositions of witnesses including
17 the Coroner’s Pathologist, the Kern County Sheriff’s Office (hereinafter “KCSO”) Public
18 Information Officer, the Investigator Technicians, the KCSO Persons Most Knowledgeable in
19 21 separate categories, and other witnesses in conformance with the deadlines established by
20 the Court in the Scheduling Order and Court’s recent Order for a discovery extension, and with
21 deadline of July 15, 2016 for all discovery;

22 3. Whereas, the Parties need deposition transcripts available for expert review and
23 consideration prior to the experts preparation of their FRCP Rule 26 Reports;

24 4. Whereas, the Parties continue to diligently work together to coordinate
25 deposition scheduling and prompt transcript preparation;

26 5. Whereas, in the spirit of civility, cooperation and good faith litigation, neither
27 party has unilaterally scheduled depositions that are in conflict with the schedule of opposing
28 counsel or the deponents;

1 6. Whereas, extension of the expert discovery deadlines are necessary as a result of
2 the need to take the aforementioned depositions prior to designation of experts and to provide
3 the experts the opportunity to review, analyze and consider the deposition testimony, the
4 Parties are concerned that their experts will not have an opportunity to fully prepare expert
5 reports.

6 7. Whereas, since the Parties would like to ensure that all experts have the
7 opportunity to review, analyze and include all of the deposition information in their Rule 26
8 Expert Reports, the Parties request the following extensions:

- 9 a) Extend the Rule 26 Designation of Expert Witnesses to July 15, 2016;
- 10 b) Extend the Rule 26 Designation of Supplemental Experts to July 22, 2016;
- 11 c) Extend the “expert discovery” deadline to August 19, 2016; and,
- 12 d) Retain the non-expert discovery deadline as July 15, 2016.

13 8. Whereas, the Parties are informed and believe that the foregoing will not
14 adversely affect the remainder of the dates set forth in the Scheduling Order, the Parties
15 respectfully request the Court’s consideration of this request.

16 **THEREFORE, IT IS HEREBY STIPULATED THAT:**

17 The Scheduling Order shall be amended to provide for the following deadlines extensions
18 of two weeks:

- 19 a) Extend the Rule 26 Designation of Expert Witnesses to July 15, 2016;
- 20 b) Extend the Rule 26 Designation of Supplemental Experts to July 22, 2016;
- 21 c) Extend the “expert discovery” deadline to August 19, 2016; and,
- 22 d) Retain the non-expert discovery deadline as July 15, 2016.

23
24 Dated: June 9, 2016

CHAIN-COHN-STILES

25
26 By /s/ Neil K. Gehlawat
27 Matthew C. Clark
28 Neil K. Gehlawat
 Attorneys for Plaintiffs

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Dated: June 10, 2016

THERESA A. GOLDNER, COUNTY COUNSEL

By /s/ Andrew C. Thomson
Andrew C. Thomson, Deputy
Attorneys for Defendants County of
Kern and Deputy Reed

IT IS SO ORDERED.

Dated: June 13, 2016

/s/ John A. Mendez
JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE

22P4822