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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) AMENDED STIPULATION TO AMEND**
 15 **to David Garcia, deceased; D.E.G., a) THE SCHEDULING ORDER TO EXTEND**
 16 **minor, by and through her guardian *ad) DISPOSITIVE MOTION DATES***
 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 Amended Stipulation to
 24 Amend the Scheduling Order to Extend the Dispositive Motion dates.

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
 28 “Plaintiffs”) are jointly represented by Matthew C. Clark and Neil K. Gehlawat of Chain-

1 Cohn-Stiles, and Dale K. Galipo of the Law Offices of Dale K. Galipo.

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

5 Plaintiffs and Defendants are hereinafter collectively referred to as the "Parties."

6 **IT IS HEREBY STIPULATED AND AGREED TO**, by and between the Parties, through
7 their respective counsel of record, that an Order be entered modifying the Scheduling Order to
8 extend the dates for filing of Dispositive Motions, including Motions for Summary Judgment
9 and/or Motions for Summary Adjudication, by four (4) weeks/twenty-eight (28) days, as
10 follows:

- 11 a) Extend the date to provide Undisputed Material Facts to opposing counsel to August
12 12, 2016 from July 15, 2016;
- 13 b) Extend the date to meet and confer with opposing Counsel to August 17, 2016 from
14 July 20, 2016;
- 15 c) Extend the last date for filing of a Dispositive Motion to **September 6, 2016** from
16 August 10, 2016;
- 17 d) Extend the last date for hearing (oral argument) of a Dispositive Motion to **October**
18 **4, 2016, at 1:30 p.m. in Courtroom 6**, from September 7, 2016; and
- 19 e) Extend Opposition and Reply dates to dates consistent with the extended hearing
20 date.

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

24 2. Whereas the Parties entered into Stipulations regarding discovery and expert
25 witness discovery issues;

26 3. Whereas the Court entered Orders amending the Scheduling Conference Order
27 regarding discovery and expert witness discovery issues;

28 4. Whereas Federal Rules of Civil Procedure (hereinafter "FRCP") Rule 26 Expert
Disclosure will occur on July 15, 2016;

5. Whereas FRCP Rule 26 Supplemental Expert Disclosure will occur on July 22,
2016;

1 6. Whereas FRCP Rule 26 Expert Discovery will close on will close on August 19,
2 2016;

3 7. Whereas one or more of the Parties contemplate the filing of a dispositive
4 motion;

5 8. Whereas good cause exists since the Parties anticipate the need to review and
6 analyze expert witness reports and deposition transcripts prior to meeting and conferring,
7 filing, opposing and/or replying to a dispositive motion;

8 9. Whereas the Parties have met and conferred on at least three occasions
9 regarding this issue and concur that the four (4) week extension of the dispositive motion dates,
10 including the meet and confer, filing, opposition, reply and hearing dates, is the most
11 reasonable means to resolve the issue without the need to extend the trial date;

12 10. Therefore, in order to ensure that the Parties have all expert materials, including
13 deposition transcripts, available for review and analysis prior to engaging in the dispositive
14 motion process, the Parties request the following extensions:

- 15 a) Extend the date to provide Undisputed Material Facts to opposing counsel to August
16 12, 2016 from July 15, 2016;
- 17 b) Extend the date to meet and confer with opposing Counsel to August 17, 2016 from
18 July 20, 2016;
- 19 c) Extend the last date for filing of a Dispositive Motion to **September 6, 2016** from
20 August 10, 2016;
- 21 d) Extend the last date for hearing (oral argument) of a Dispositive Motion to **October
22 4, 2016, at 1:30 p.m. in Courtroom 6**, from September 7, 2016; and
- 23 e) Extend Opposition and Reply dates to dates consistent with the extended hearing
24 date.

25 11. The Parties respectfully request the Court's consideration of this request.

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

27 The Scheduling Order shall be amended to provide for the following deadlines
28 extensions of four (4) weeks:

- 29 a) Extend the date to provide Undisputed Material Facts to opposing counsel to
30 August 12, 2016 from July 15, 2016;

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- 1 b) Extend the date to meet and confer with opposing Counsel to August 17, 2016 from
- 2 July 20, 2016;
- 3 c) Extend the last date for filing of a Dispositive Motion to September 6, 2016 from
- 4 August 10, 2016;
- 5 d) Extend the last date for hearing (oral argument) of a Dispositive Motion to October
- 6 4, 2016, at 1:30 p.m. in Courtroom 6, from September 7, 2016; and
- 7 e) Extend Opposition and Reply dates to dates consistent with the extended hearing
- 8 date.

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Dated: June 27, 2016

CHAIN-COHN-STILES

By /s/ Neil K. Gehlawat
Matthew C. Clark
Neil K. Gehlawat
Attorneys for Plaintiffs

Dated: June 27, 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 27, 2016

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

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