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 9 **of Kern and Deputy Reed**

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

12	<b>D.G., a minor, by and through his</b>	)	<b>CASE NO. 1:15-CV-00760 JAM-JLT</b>
13	<b>guardian <i>ad litem</i>, Denise Bonilla,</b>	)	
14	<b>individually and as successor-in-interest)</b>	)	<b>STIPULATION TO ALLOW DEPOSITION</b>
15	<b>to David Garcia, deceased; D.E.G., a</b>	)	<b>OF EXPERTS KRIS MOHANDIE, Ph.D.</b>
16	<b>minor, by and through her guardian <i>ad</i></b>	)	<b>AND SCOTT DE FOE BEYOND EXPERT</b>
17	<b><i>litem</i>, Denise Bonilla, individually and</b>	)	<b>DISCOVERY DEADLINE DUE TO</b>
18	<b>as successor-in-interest to David Garcia,</b>	)	<b>UNCONTROLABLE CIRCUMSTANCES</b>
19	<b>deceased; G.D., a minor, by and</b>	)	<b>AND SCHEDULING ISSUES; ORDER</b>
20	<b>through her guardian <i>ad litem</i>, Denise</b>	)	
21	<b>Bonilla, individually and as successor-</b>	)	
22	<b>in-interest to David Garcia, deceased;</b>	)	
23	<b>RAMONA RAMIREZ NUNEZ,</b>	)	
24	<b>individually;</b>	)	
25	<b>Plaintiffs,</b>	)	
26	<b>vs.</b>	)	
27	<b>COUNTY OF KERN; DOES 1</b>	)	
28	<b>THROUGH 10;</b>	)	
	<b>Defendants.</b>	)	<b>[ALL PARTIES REQUEST A JURY]</b>

23 Plaintiffs, D.G., a minor, by and through his guardian ad litem, Denise Bonilla; D.E.G.,  
 24 a minor, by and through her guardian ad litem, Denise Bonilla; G.D., a minor, by and through  
 25 her guardian ad litem, Denise Bonilla; and Ramona Ramirez Nunez, (hereinafter collectively  
 26 “Plaintiffs”) are jointly represented by Matthew C. Clark and Neil K. Gehlawat of Chain-  
 27 Cohn-Stiles, and Dale K. Galipo of the Law Offices of Dale K. Galipo.

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

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

5 **IT IS HEREBY STIPULATED AND AGREED TO**, by and between the Parties,  
6 through their respective counsel of record, that an Order be entered allowing Plaintiffs to take  
7 the deposition of Defendants’ expert witness Kris Mohandie, Ph.D. ABPP (hereinafter “Dr.  
8 Mohandie”), and Defendants to take the deposition of Plaintiffs’ expert Scott DeFoe (hereinafter  
9 “DeFoe”), on dates which are later than the expert witness discovery deadline set forth in the  
10 Scheduling Order and subsequent related Orders, but on or before September 16, 2016.

11 1. The Parties have repeatedly met and conferred regarding expert witness discovery  
12 matters in an effort to resolve expert discovery issues, including deposition scheduling.

13 2. Other than Dr. Mohandie and DeFoe, the Parties have been able to schedule the  
14 deposition of all other expert witnesses within the deadline established by the Court.

15 3. Plaintiffs properly noticed the deposition of Defendants expert witness Psychologist Dr.  
16 Mohandie, however as the result of a prescheduled trip to Europe and other business obligations,  
17 along with attorney schedule conflicts, Dr. Mohandie’s deposition has not been completed to date.

18 4. Defendants properly noticed the deposition of Plaintiffs Police Practices expert witness  
19 DeFoe, however as the result of trial testimony obligations and a scheduled vacation, along with  
20 attorney schedule conflicts, DeFoe’s deposition has not been completed to date.

21 5. As a result of the schedules of Dr. Mohandie, DeFoe and counsel, their depositions  
22 could not reasonably be rescheduled for a date earlier then August 19, 2016.

23 6. In coordinating with the schedules of counsel, the Parties anticipate that counsel and  
24 experts will be available and have deposition testimony taken no later than September 16, 2016.

25 7. Nothing in this stipulation constitutes a waiver of any Parties’ right to challenge the  
26 designation of Dr. Mohandie and Mr. DeFoe as experts or to move to exclude any and all  
27 testimony by Dr. Mohandie and Mr. DeFoe.

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1 8. The Parties do not believe that the requested continuance of the deposition testimony of  
2 Dr. Mohandie and DeFoe will have any adverse impact on the Court's Scheduling Orders.

3 9. The Parties believe that good cause for the continuance has been shown.

4 10. The Parties respectfully request the Court's consideration of this request.

5 **THEREFORE, IT IS HEREBY STIPULATED:**

6 The depositions of experts Kris Mohandie, Ph.D. ABPP and Scott DeFoe may be  
7 noticed for, and taken on dates which are later than the August 19, 2016 scheduled conclusion  
8 of expert witness discovery, but will be concluded on or before September 16, 2016.

9 Dated: August 23, 2016

**CHAIN-COHN-STILES**

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11 By /s/ Neil K. Gehlawat  
12 Matthew C. Clark  
13 Neil K. Gehlawat  
14 Attorneys for Plaintiffs

15 Dated: August 23, 2016

**THERESA A. GOLDNER, COUNTY COUNSEL**

16  
17 By /s/ Andrew C. Thomson  
18 Andrew C. Thomson, Deputy  
19 Attorneys for Defendants County of Kern  
20 and Deputy Reed

21 **ORDER**

22 Good cause appearing, the STIPULATION TO ALLOW DEPOSITION OF DEFENSE  
23 EXPERT KRIS MOHANDIE, Ph.D. ABPP AND SCOTT DEFOE BEYOND EXPERT  
24 DISCOVERY DEADLINE in CASE NO. 1:15-CV-00760 JAM-JLT is hereby approved and  
25 adopted as the order of this Court.

26 Dated: August 23, 2016

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

#22T2938

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Stipulation To Allow Depositions of Experts Beyond Expert Discovery Deadline