

1 MARGO A. RAISON, COUNTY COUNSEL
2 By: Kathleen S. Rivera, Deputy (SBN 211606)
3 Kern County Administrative Center
4 1115 Truxtun Avenue, Fourth Floor
5 Bakersfield, CA 93301
6 Telephone 661-868-3800
7 Fax 661-868-3805

8 Attorneys for Defendant County of Kern

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 MARK MCGOWAN, INDIVIDUALLY) Case No.: 1:15-cv-01365 DAD SKO
12 AND AS SUCCESSOR-IN-INTREST TO)
13 NANCY JOYCE GARRETT,)
14 DECEASED; DEBORAH BLANCO,)
15 INDIVIDUALLY AND AS SUCCESSOR-) JOINT STIPULATION FOR
16 IN-INTEREST TO NANCY JOYCE) CONTINUANCE OF CERTAIN
17 GARRETT;) SCHEDULED DATES; ORDER
18)
19 Plaintiffs,) (Doc. 120)
20)
21 v.)
22)
23 COUNTY OF KERN, a municipality;)
24 NICHOLAS JOHN CLERICO, an)
25 individual; and DOES 1 – 100;)
26)
27 Respondents.)
28)

29 JOINT STIPULATION

30 COME NOW the parties to this action jointly, through their respective attorneys of
31 record, and stipulate as follows:

32 1. The parties previously stipulated to continue certain dates in this matter.
33 Specifically, all parties wished to pursue a second mediation prior to the filing of dispositive
34 motions and non dispositive motions, and therefore stipulated to continue the dates for the
35 filing of such motions, to allow time for mediation.

1 2. The parties submitted a Stipulation (Doc. No. 118) which was signed by this
2 court on November 11, 2019 (Doc. No. 119).

3 3. This Order, Doc No. 119, set Jan. 14, 2020 for the filing date for dispositive
4 motions and non dispositive motions.

5 4. Counsel for the parties agreed to use retired Kern County Superior Court Judge
6 Friedman to mediate the matter, however due to his contractual agreement with Kern County
7 Superior Court, Judge Friedman was ultimately unable to serve as mediator.

8 5. Counsel began discussions to choose another mediator, but due to the holidays,
9 this process was delayed somewhat. Counsel intend to complete mediation by mid February
10 of 2020.

11 6. Therefore, because all counsel wish to save the time and resources which will
12 be spent on pursuing their respective motions, all counsel stipulate to continue the deadline
13 for the filing of such motions, in order to attempt to meaningfully settle this matter.

14 7. The parties further stipulate and request the court to **VACATE** and reset in
15 accordance with the court's calendar the scheduled dates for: hearings for non-dispositive
16 motions and dispositive motions, the settlement conference and the pre-trial conference.

17 8. The proposed stipulation does not disturb the dates for the pre trial conference
18 on May 18, 2020 or the trial on July 14, 2020.

19 9. The parties therefore stipulate and propose the following amendments to the
20 case schedule in this matter:

Event/Deadline	Existing Date	Stipulated New Date
Non-Dispositive motions-Filing	January 14, 2020	March 2, 2020
Dispositive motions-Filing	January 14, 2020	March 2, 2020
Non-Dispositive Motion-Hearing	Feb. 12, 2020	To be set by court
Dispositive Motion-Hearing	March 3, 2020	To be set by court
Settlement Conference	March 24, 2020	To be set by court

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Event	Prior Date	Continued Date
Non-Dispositive Motion Filing	January 14, 2020	March 2, 2020
Non-Dispositive Motion Hearing	February 12, 2020	April 1, 2020
Dispositive Motion Filing	January 14, 2020	March 2, 2020
Dispositive Motion Hearing	March 3, 2020	April 21, 2020 at 9:30 a.m.
Settlement Conference	March 24, 2020	April 30, 2020 at 10:30 a.m.
Pretrial Conference	May 18, 2020, at 1:30 p.m	Unchanged
Trial	July 14, 2020, at 8:30 a.m.	Unchanged

IT IS SO ORDERED.

Dated: January 13, 2020

/s/ Sheila K. Overt
UNITED STATES MAGISTRATE JUDGE