1	MARGO A. RAISON, COUNTY COUNSEL				
2	By: Kathleen S. Rivera, Deputy (SBN 211606) Kern County Administrative Center				
3	1115 Truxtun Avenue, Fourth Floor				
4	Bakersfield, CA 93301 Telephone 661-868-3800				
5	Fax 661-868-3805				
6	Attorneys for Defendant County of Kern				
7					
8	UNITED STATES DISTRICT COURT				
9	EASTERN DISTRIC	Г OF CALIFORNIA			
10	MARK MCGOWAN, INDIVIDUALLY)	Case No.: 1:15-cv-01365 DAD SKO			
11	AND AS SUCCESSOR-IN-INTREST TO) NANCY JOYCE GARRETT,)				
12	DECEASED; DEBORAH BLANCO,)				
13	INDIVIDUALLY AND AS SUCCESSOR-) IN-INTEREST TO NANCY JOYCE)	JOINT STIPULATION FOR CONTINUANCE OF CERTAIN			
14	GARRETT;	SCHEDULED DATES; ORDER			
15	Plaintiffs,	(Doc. 120)			
16) v.)				
17) COUNTY OF KERN, a municipality;)				
18	NICHOLAS JOHN CLERICO, an)				
19	individual; and DOES 1 – 100;)				
20	Respondents.				
21	JOINT STIP	ULATION			
22	COME NOW the parties to this action jointly, through their respective attorneys of				
23	record, and stipulate as follows:				
24	1. The parties previously stipulated t	to continue certain dates in this matter.			
25	Specifically, all parties wished to pursue a second	d mediation prior to the filing of dispositive			
26	motions and non dispositive motions, and therefore	ore stipulated to continue the dates for the			
27	filing of such motions, to allow time for mediation	on.			
28					
	1				
	Joint Stipulation for Continuance of Certain Scheduled Da	tes; Order, 1:15-cv-01365 DAD-SKO			

1	2. The	parties submitted a Stipula	tion (Doc. No. 118) which	was signed by this
2	court on Novembe	r 11, 2019 (Doc. No. 119).		
3	3. Thi	s Order, Doc No. 119, set Ja	an. 14, 2020 for the filing c	late for dispositive
4	motions and non d	ispositive motions.		
5	4. Cou	unsel for the parties agreed t	to use retired Kern County	Superior Court Judge
6	Friedman to media	te the matter, however due	to his contractual agreeme	nt with Kern County
7	Superior Court, Ju	dge Friedman was ultimatel	y unable to serve as media	tor.
8	5. Cou	unsel began discussions to c	hoose another mediator, bu	It due to the holidays,
9	this process was de	elayed somewhat. Counsel	intend to complete mediati	on by mid February
10	of 2020.			
11	6. The	erefore, because all counsel	wish to save the time and r	esources which will
12	be spent on pursui	ng their respective motions,	all counsel stipulate to con	ntinue the deadline
13	for the filing of suc	ch motions, in order to atten	npt to meaningfully settle t	his matter.
14	7. The	e parties further stipulate and	d request the court to VAC	ATE and reset in
15	accordance with th	e court's calendar the sched	luled dates for: hearings fo	r non-dispositive
16	motions and dispo	sitive motions, the settlemen	nt conference and the pre-t	rial conference.
17	8. The	proposed stipulation does i	not disturb the dates for the	e pre trial conference
18	on May 18, 2020 o	or the trial on July 14, 2020.		
19	9. The	e parties therefore stipulate a	and propose the following	amendments to the
20	case schedule in th	is matter:		
21	Eve	ent/Deadline	Existing Date	Stipulated New Date
22	Non-Dispositive	motions-Filing	January 14, 2020	March 2, 2020
23	Dispositive motio	ons-Filing	January 14, 2020	March 2, 2020
24	Non-Dispositive	Motion-Hearing	Feb. 12, 2020	To be set by court
25				-
26	Dispositive Motio	on-Hearing	March 3, 2020	To be set by court
27	Settlement Confe	rence	March 24, 2020	To be set by court
28			1	1

2

Joint Stipulation for Continuance of Certain Scheduled Dates; Order, 1:15-cv-01365 DAD-SKO

1	10. A proposed order is submitted herewith. The parties jointly request that the
2	Court enter the proposed order.
3	SO STIPULATED.
4	Dated: Jan. 9, 2020MARGO A. RAISON, COUNTY COUNSEL
5	
6	By: <u>/S/ Kathleen S. Rivera</u>
7	Kathleen S. Rivera, Deputy Attorneys for Defendant County of Kern
8	
9	Dated: Jan. 9, 2020 CHAIN, COHN, STILES
10	By: /S/ Matthew C. Clark
11	MATTHEW C. CLARK
12	Attorney for the Plaintiffs
13	Dated: Jan. 9, 2020 THE LAW OFFICE OF THOMAS C. SEABAUGH
14	
15	By: <u>/S/ Thomas C. Seabaugh</u>
	THOMAS C. SEABAUGH Attorney for the Plaintiffs
16	Automey for the Flammins
17	Dated: Jan. 9, 2020 WEAKLEY & ARENDT, LLP
18	
19	By: <u>/S/ James Weakley</u>
20	JAMES D. WEAKLEY
21	Attorney for Defendant Clerico
22	ORDER
23	Pursuant to the parties' above second stipulation, (Doc. 120), for good cause shown,
24	the scheduling order dates are MODIFIED as follows:
25	the seneduling order dutes are worden here as follows.
26	
27	
28	
	3
	Joint Stipulation for Continuance of Certain Scheduled Dates; Order, 1:15-cv-01365 DAD-SKO

	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
	F IS SO ORDERED. Dated: January 13, 2020		<i>Sheila K. Oberto</i> tes magistrate jue
			<u>Sheila X. Oberto</u> tes magistrate jue