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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

CHARLES JOHNSON,

Plaintiff,

v.

REPUBLIC SERVICES, INC.,
ALLIED WASTE SERVICES OF
NORTH AMERICA, LLC and
DOES 1 through 50, inclusive,

Defendant.

Case No. 1:15-cv-01447-DAD-MJS

**JOINT STIPULATION TO
CONTINUE NON-TRIAL RELATED
DATES AND ORDER THEREON**

Magistrate Judge: Michael Seng

Judge: Hon. Dale A. Drozd

1 Plaintiff Charles Johnson (“Plaintiff”), on the one hand, and Defendants
2 Republic Services, Inc. and Allied Waste Services of North America, LLC
3 (“Defendants”) on the other, by and through their respective counsel of record, hereby
4 stipulate and agree as follows:

5 **WHEREAS**, on March 31, 2016, a Scheduling Conference was held and
6 dates were set including a discovery cut off, expert disclosure deadlines, non-
7 dispositive and dispositive motion deadlines, a Final Pretrial Conference on April 10,
8 2017, and a five day Jury Trial on May 31, 2017;

9 **WHEREAS**, the Parties have been diligently engaging in written
10 discovery and plan on taking the depositions of Plaintiff and Defendants’ Company
11 witnesses in September and October of 2016;

12 **WHEREAS**, the Parties would like a short continuance of approximately
13 six (6) weeks on all discovery-related deadlines and a short continuance of one month
14 on the deadline to file any dispositive motions in order to allow them to adequately
15 complete discovery;

16 **WHEREAS**, the requested short continuance will not impact the Final
17 Pretrial Conference or Jury Trial date;

18 **WHEREAS**, counsel for the Parties are working collaboratively to move
19 the case along efficiently;

20 **WHEREAS**, this is the first continuance requested by the Parties and no
21 Party will suffer prejudice as a result of the proposed short continuance;

22 **NOW, THEREFORE**, Plaintiff and Defendants, by and through their
23 attorneys of record, hereby stipulate that the below dates be continued as follows:

EVENT	OLD DEADLINE	NEW DEADLINE
Non-Expert Discovery Cutoff	October 18, 2016	November 29, 2016
Expert Discovery Cutoff	November 18, 2016	December 30, 2016
Expert Disclosure Filing	October 1, 2016	November 11, 2016

Expert Disclosure Rebuttal	October 18, 2016	November 29, 2016
Non-Dispositive Motion Deadlines (filing*)	November 18, 2016	December 30, 2016
Dispositive Motion Deadline (filing*)	January 6, 2017	February 6, 2017
Dispositive Motion Hearing Date	February 21, 2017	Any date in March 2017

IT IS SO STIPULATED.

DATED: August 29, 2016

/s/ Eric P. Oren
ERIC P. OREN
Attorney for Plaintiff,
CHARLES JOHNSON

Respectfully submitted,

DATED: August 29, 2016

/s/ *Eric C. Bellafronto*
ERIC C. BELLAFRONTO
JOSE MACIAS, JR.
Attorneys for Defendants,
REPUBLIC SERVICES, INC. AND
ALLIED WASTE SERVICES OF NORTH
AMERICA, LLC

ORDER

Counsel for the Parties in the above-captioned action submitted a Joint
Stipulation to Continue all Non-Trial Related Deadlines.

After consideration of the papers submitted, the Court remains unclear as to the proposed deadline for the hearing, if any, on dispositive motions. The Stipulation calls for a hearing “Any date in March 2017”. If the parties do indeed intend to move the hearing on dispositive motions to any date beyond February 21, 2017, that hearing would encroach upon the absolute minimum six week period between such a hearing and the pretrial conference, and the pretrial and trial dates would need be modified.

Accordingly, the Court declines to adopt the parties' Stipulation. The parties may resubmit a stipulation that addresses the foregoing. Until further Order of the Court, all dates and deadlines remain as set (ECF No. 15.)

IT IS SO ORDERED.

Dated: September 16, 2016

/s/ *Michael J. Seng*
UNITED STATES MAGISTRATE JUDGE