1 William A. Romaine #126966 war@lawromaine.com 2 Law Office of William A. Romaine 3 123 West Myrtle Street DEC 2 7 2017 P.O. Box 2059 4 Hanford, California 93232 CLERK, U.S. DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA 5 Telephone: 559 582 9360 6 DEPUTY CLERK Telecopier: 559 582 9350 7 Attorney for Plaintiff Dennis Alba 8 9 10 United States District Court 11 Eastern District of California 12 Dennis Alba, 13 Case Number: 1:15-cv-1492-EPG 14 Plaintiff, STIPULATION AND ORDER TO MODIFY SCHEDULING ORDER TO 15 PERMIT RESOLUTION OF VS. 16 DISCOVERY DISPUTE 17 County of Tulare, California, Tulare 18 County Sheriff's Deputy Ronald Crouch, Tulare County Sheriff's Department, 19 Tulare County Sheriff's Deputy Sergeant Torres, Tulare County 20 Sheriff's Deputy Derrick Hood, and 21 Tulare County Sheriff's Deputy Bertoldo, 22 23 Defendants. 24 By and through their respective counsel of record, the parties hereto do hereby 25 stipulate as follows: 26 27 /// 28 Stipulation and Order to Amend Scheduling Order to Resolve Discovery Dispute Alba v. County of Tulare, et.al. 1:15-cv-1492 EPG

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- 1. A Status Conference was held on December 4, 2017, at which time a pending discovery dispute between the parties was discussed concerning whether or not the depositions of Defendants were properly scheduled and should be allowed to move forward. The Court granted the Plaintiff permission to file a Motion to Compel, and ordered the parties to meet and confer prior to the filing of a Motion to Compel.
- 2. Counsel for the parties have met and confer and have now reached an agreement, court permitting. Due to scheduling difficulties and the holidays, the deposition of the person(s) who will testify on behalf of the County of Tulare, California, is scheduled on January 15, 2018, the depositions of Derrick Hood and Ronald Crouch are scheduled to take place on January 25 and 26, 2018. Counsel for plaintiff agreed to serve amended notices of deposition reflecting those dates and has done so.
- 3. The parties agree that with the depositions being taken in January 2018, it would not be possible to meet the dispositive motion filing deadline of January 15, 2018, previously set by the court in the Revised Scheduling Order filed in the above-entitled matter on April 18, 2017.
- 4. The parties have met and conferred and feel good cause has been shown to extend the dispositive motion deadline to March 1, 2018, in order to have the depositions finalized and provide time to meet and confer regarding the issues and undisputed facts prior to the filing of a Motion for Summary Judgment as previously ordered by the Court.

1	1 IT IS SO STIPULATED.	
2	² Date: December 21, 2017	Law Office of William A. Romaine
3	3	s/ William A. Romaine
4	4	William A. Romaine,
5	5	Attorney for Plaintiff
6	6 Date: December 21, 2017 Tular	e County Counsel, by:
7	7	s/ Judith D. Chapman
8	8	Judith D. Chapman, Deputy
9	9	Attorney for Defendants.
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11	ORDER	
12	Pursuant to the foregoing stipulation of the parties and good cause appearing	
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14	therefor, IT IS HEREBY ORDERED:	
15	That the depositions of defendants County of Tulare, California, Derrick	
16	Hood, and Ronald Crouch may be taken on January 15, 25, and 26 as noticed and that	
17	the Revised Scheduling Order in the above-entitled matter is amended hereby to	
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19	provide that Dispositive Motions shall be filed not later than March 1, 2018, that the	
20	Pretrial Conference as scheduled in the above-entitled matter shall take place on:	
21	September 20, 2018, at 11:00 am, and that trial by jury as provided in the above-	
22	entitled matter shall commence upon: November 6, 2018, at 8:30 am.	
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27	7	
28	8 Stipulation and Order to Amend Sch	eduling Order to Resolve Discovery Dispute

All other orders set forth in the Revised Scheduling Order filed herein shall remain in full force and effect.

Dated: 12/27/17

Erica P. Grosjean United States Magistrate Judge