1	CHAIN   COHN   STILES David K. Cohn, Esq. (SBN 68768) 1731 Chester Avenue						
2							
3	E-Mail: dconn@cnainiaw.com   Telephone: (661) 323-4000						
4							
5	Facsimile: (661) 324-1352						
6	LAW OFFICES OF DALE K. GALIPO						
7	7 21800 Burbank Boulevard, Suite 310 Woodland Hills, CA 91367						
8							
9	Telephone: (818) 347-3333 Facsimile: (818) 347-4118						
10							
11	Attorneys for Figure 1						
12							
13	UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA						
14							
15	GILBERTO FAJARDO,	CASE NO. 1:16-CV-00699-JLT					
16	Plaintiff,	STIPULATION TO MODIFY THE SCHEDULING ORDER (DKT. NO. 36];					
17	v.	[PROPOSED] ORDER THEREON					
18	CITY OF BAKERSFIELD; JUAN	[DOC. 36]					
19	OROZCO; LINDY DEGEARE; and DOES 1 THROUGH 10, inclusive,						
20	Defendants.						
21	DECATA A C						
22	RECITALS						
23	1. WHEREAS, on May 30, 2018 this Court issued its Scheduling Order [Dkt. No. 36].						
24	2. WHEREAS, on May 16, 2019, the Parties filed a Stipulation to Modify the						
25	Scheduling Order [Dkt. No. 39] to extend the time for expert disclosures and expert discovery						
26	cutoff and the Court issued an Order granting same on May 17, 2019 [Dkt. No. 40].						
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3. WHEREAS, on August 21, 2019, the Parties filed a Stipulation to Modify the Scheduling Order [Dkt. No. 46] to extend the time for expert disclosures and expert discovery cutoff and the Court issued an Order granting same on August 22, 2019 [Dkt. No. 47].

- 4. WHEREAS, due to the number of expert witnesses in this catastrophic injury case who are dependent on one another in terms of their analysis and given the volume of materials and complicated facts of the case, the Parties require additional time to prepare their expert disclosures and conduct expert discovery and request that the deadlines be extended by two weeks as set forth in the below Stipulation.
- 5. WHEREAS, the requested extension on the hearing on dispositive motions is a date after the currently scheduled Pretrial Conference date of December 16, 2019. Therefore, the Parties request that the Pretrial Conference date of December 16, 2019, be continued to January 6, 2020.
- 6. WHEREAS, the requested extension will not affect the Trial date of February 10, 2019.

## **STIPULATION**

**IT IS HEREBY STIPULATED** by and between the Parties hereto through their respective attorneys of record that the following deadlines be continued as follows:

<u>Deadline</u>	Current Date	Requested Date
Non-Dispositive Motions	September 17, 2019	October 1, 2019
Expert Disclosures	September 18, 2019	October 2, 2019
Hearing on Non-Dispositive Motions	October 15, 2019	October 29, 2019
Rebuttal Expert Disclosures	October 21, 2019	November 4, 2019
Dispositive Motions	October 28, 2019	November 11, 2019
Expert Discovery Cutoff	November 4, 2019	November 18, 2019
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1	Hearing on Dispositive Motions	December 13, 2019	December 27, 2019		
2	Pretrial	December 16, 2019	January 6, 2020		
3	DATED: September 16, 2019	LAW OFFICES C	F DALE K. GALIPO		
4		/s/ Dale K.	Galipo		
5		BY: DALE K. GA			
6 Attorney					
7	7 DATED: September 16, 2019 CHAIN   COHN   STILES				
8		/s/ David <b>K</b>	K. Cohn		
9		BY: DAVID K. C			
10		Attorney for			
11	DATED: September 16, 2019	MARDEROSIAN	& COHEN		
12			l G. Marderosian		
13		BY: MICHAEL C	G. MARDEROSIAN		
14		Attorney for	Defendants		
15					
16	16 ORDER				
The Court <b>GRANTS in PART</b> the stipulation to amend the case schedule. The					
18	notes there is no showing to explain the need to extend the non-dispositive motion deadlines. Also,				
19	counsel have provided insufficient time for the filing of and decision on dispositive motions and				
20	have not demonstrated that they believe that expert testimony is needed for dispositive motions.				
21	Finally, the Court is unavailable on January 6, 2020. Thus, the Court <b>ORDERS</b> the case schedule				
22	to be amended as follows:				
23	1. The parties <b>SHALL</b> di	isclose experts no later than Oct	ober 2, 2019 and any		
24	rebuttal experts no later than November 4, 2019;				
25	2. All discovery of exper	ts <b>SHALL</b> be completed <b>no later</b>	than November 18, 2019;		
26	3. The pretrial conference is <b>CONTINUED</b> to <b>December 30, 2019</b> at 9:00 a.m.				
27	4. In all other respects, the stipulation to amend the case schedule is <b>DENIED</b> .				
28 CHAIN   COHN   STILES  1731 CHESTER AVENUE BAKERSFIELD, CA 93301 (661) 323-4000	-3- STIPLILATION TO MODIEV THE SCHEDULING OPDED: OPDED THEREON				
. ,	STIPULATION TO MODIFY THE SCHEDULING ORDER; ORDER THEREON				

1	Counsel are advised that the Court will not entertain any further requests to amend the case				
2	schedule absent a showing of extraordinary good cause which does not include any difficulty				
3	scheduling or timely completing discovery or filing motions.				
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5					
6	IT IS SO ORDERED.				
7	Dated: September 17, 2019 /s/ Jennifer L. Thurston UNITED STATES MAGISTRATE JUDGE				
8	CIVILD STATES WAGISTRATE JODGE				
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