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15 Attorneys for: Defendants CITY OF BAKERSFIELD, JUAN OROZCO, and LINDY DEGEARE

16 UNITED STATES DISTRICT COURT
17 EASTERN DISTRICT OF CALIFORNIA

18 GILBERTO FAJARDO,) Case No. 1:16-CV-00699-JLT
19)
20 Plaintiff,) **STIPULATION TO MODIFY THE**
21 vs.) **SCHEDULING ORDER [DKT. NO. 36];**
22) **[PROPOSED] ORDER THEREON**
23)
24 CITY OF BAKERSFIELD; JUAN)
25 OROZCO; LINDY DEGEARE; and)
26 DOES 1 THROUGH 10, inclusive,)
27)
28 Defendants.)
_____)

29 **RECITALS**

- 30 1. WHEREAS, on May 30, 2018 this Court issued its Scheduling Order [Dkt. No. 36].
31 2. WHEREAS, on May 16, 2019 the Parties filed a Stipulation to Modify the Scheduling Order
32 [Dkt. No. 39] to extend the time for expert disclosures and expert discovery cutoff and the Court issued an
33 Order granting same on May 17, 2019 [Dkt. No. 40].
34 3. WHEREAS, on August 21, 2019 the Parties filed a Stipulation to Modify the Scheduling
35 Order [Dkt. No. 46] to extend the time for disclosure of expert witnesses and expert witness discovery due

1 to the number of expert witnesses in this catastrophic injury case. The Court issued an Order granting same
2 on August 22, 2019 [Dkt. No. 47].

3 4. WHEREAS, on September 16, 2019 the Parties filed a Stipulation to Modify the Scheduling
4 Order [Dkt. No. 48] to extend the time for disclosure of expert witnesses and expert witness discovery again
5 due to the number of expert witnesses in this catastrophic injury case who are dependent on one another in
6 terms of their analysis and given the volume of materials and complicated facts of the case. The Court
7 issued an Order granting same on September 17, 2019 [Dkt. No. 49].

8 5. WHEREAS, the Parties have exchanged their initial and rebuttal expert disclosures.
9 Plaintiff has designated a total of seven (7) expert witnesses. Defendants have designated a total of nine (9)
10 expert witnesses. The Parties have yet not been able to depose any of these expert witnesses due to the
11 holidays, calendar conflicts, depositions, and trials.

12 6. Counsel for both Plaintiff and Defendants have significantly congested trial calendars and as
13 such, the Parties have agreed to continue the trial date of February 10, 2020 to June 29, 2020 in order to
14 accommodate the sixteen (16) expert depositions that need to be taken in this matter. The June 29, 2020
15 trial date was confirmed with Clerk Susan Hall as being available on the Court's calendar.

16 **STIPULATION**

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

<u>Deadline</u>	<u>Current Date</u>	<u>Requested Date</u>
Expert Discovery Cutoff	November 18, 2019	April 6, 2020
Joint Pre Trial Statement	December 23, 2019	May 11, 2020
Pre Trial Conference	December 30, 2019	May 18, 2020
Trial	February 10, 2020	June 29, 2020

22
23 Dated: December 23, 2019

MARDEROSIAN & COHEN

24
25 */s/ Michael G. Marderosian*

26 By: _____

27 Michael G. Marderosian,
28 Attorneys for Defendants

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Dated: December 23, 2019

LAW OFFICES OF DALE K. GALIPO

/s/ Dale K. Galipo

By: _____
Dale K. Galipo,
Attorneys for Plaintiff

Dated: December 23, 2019

CHAIN COHN STILES

/s/ David K. Cohn

By: _____
David K. Cohn,
Attorneys for Plaintiff

1 **ORDER**

2 Pursuant to the Stipulation of the parties and good cause appearing therefor, IT IS HEREBY
3 ORDERED that the Scheduling Order be modified as follows:

<u>Deadline</u>	<u>Current Date</u>	<u>Requested Date</u>
Expert Discovery Cutoff	November 18, 2019	April 6, 2020
Joint Pre Trial Statement	December 23, 2019	May 11, 2020
Pre Trial Conference	December 30, 2019	May 18, 2020
Trial	February 10, 2020	June 29, 2020 ¹

9 IT IS SO ORDERED.

10 Dated: December 23, 2019

11 /s/ Jennifer L. Thurston
12 UNITED STATES MAGISTRATE JUDGE

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28 ¹ Counsel are advised that, though the Court can accommodate their request for the June 29 trial date, due to the Independence Day Holiday, the Court is open only Monday through Thursday during the week of June 29. Due to other Court obligations, the week of July 6, 2020, the Court is available only on Monday and Friday, though the jury may deliberate on Tuesday, July 7, if necessary.