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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MELISSA M. NEYLON AND SHAWN P.  
NEYLON,

Plaintiff,

v.

COUNTY OF INYO, WILLIAM R.  
LUTZE, RALPH DOUGLAS RICHARDS,  
MICHAEL DURBIN, and DOES 1 to 50,

Defendants.

CASE NO. 1:16-cv-00712-AWI-JLT

**JOINT STIPULATION TO EXTEND  
EXPERT WITNESS DISCOVERY  
DEADLINE AND DISPOSITIVE  
MOTION FILING AND HEARING  
DEADLINE; [PROPOSED] ORDER  
GRANTING IN PART AND DENYING  
IN PART**

(Doc. 67)

This Stipulation is entered into by and between Plaintiffs MELISSA M. NEYLON and Defendants COUNTY OF INYO; WILLIAM R. LUTZE; RALPH DOUGLAS RICHARDS; and MICHAEL DURBIN, through counsel of record. The Parties have conferred and agree to continue the expert discovery deadline for 60 days, from March 9, 2018, to May 8, 2018. The Parties further agree to extend the date to file a dispositive motion for 30 days, from April 30, 2018 to May 30,

1 2018 and the date for dispositive motions to be heard for 30 days, from June 11, 2018 to July 11,  
2 2018.

3 The parties have good cause to request an extension for the expert discovery deadline  
4 because the parties are working cooperatively to schedule expert deposition(s) but need additional  
5 time as a result of scheduling issues involving both counsel and the experts. Therefore, all parties  
6 join in requesting an extension of the expert discovery deadline.

7 The parties also have good cause to extend the date to file a dispositive motion and have such  
8 motions heard because of the additional time required to complete expert deposition(s). Therefore,  
9 all parties join in requesting an extension of the date to file a dispositive motion and have such  
10 motions heard.

11 The parties stipulate to extend the expert discovery deadline for 60 days to May 8, 2018. The  
12 parties stipulate to extend the date to file a dispositive motion for 30 days to May 30, 2018 and the  
13 date for dispositive motions to be heard for 30 days to July 11, 2018.

14 Trial is presently scheduled to commence on October 2, 2018.

15  
16 **IT IS SO STIPULATED.**

17 Dated: February 22, 2018

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19 By /s/Carl L. Fessenden  
20 Carl L. Fessenden  
21 Dan J. Bardzell  
Attorneys for Defendants

22 Dated: February 22, 2018

LAW OFFICE OF MARK E. MERIN

24 By /s/Mark E. Merin (authorized 02/22/18)  
25 Mark E. Merin  
26 Paul H. Masuhara  
Attorneys for Plaintiff MELISSA M.  
27 NEYLON  
28

**[PROPOSED] ORDER**

The parties report that they've had difficulty scheduling depositions of their experts. They don't explain why this difficulty exists, the specific cause of the difficulty or when they discovered they would be unable to complete the expert discovery as required by the scheduling order. Notably, in their joint scheduling report, they sought only 60 days to complete expert discovery (Doc. 24 at 4) and the Court granted this request (Doc. 28 at 3). Now they seek an additional 60 days for expert discovery.

The parties propose an amended schedule but fail to provide sufficient time for Judge Ishii to decide dispositive motions (eight weeks from the filing of the motion is needed) or sufficient time between the pretrial conference and the trial (eight weeks is needed for the filing and decision on the in limine motions). Consequently, the proposed schedule is unworkable for the Court. Thus, the Court **ORDERS**:

1. The stipulation to amend the case schedule is **GRANTED in PART** and **DENIED in PART** as follows:
  - a. The expert discovery deadline is continued to May 8, 2018;
2. **Absolutely no other amendments to the case schedule are authorized.**

IT IS SO ORDERED.

Dated: February 26, 2018

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE