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11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA
13 FRESNO DIVISION

14 KHADAPHI PROCTOR,

15 Plaintiff,

16 v.

17 J. MACIAS, et al.,

18 Defendants.

Case No.: 1:16-cv-01120-DAD-SKO

**STIPULATION AND ORDER TO
EXTEND NON-EXPERT DISCOVERY
DEADLINE**

(Doc. 41)

19 The parties, by and through their respective counsel, and pursuant to Local Rules 143 and 144,
20 stipulate as follows:

- 21 1. That on February 1, 2017, the Court issued its Scheduling Order. ECF No 32.
- 22 2. That the non-expert discovery deadline in this action shall be extended from September
23 29, 2017 up to and including November 3, 2017.
- 24 3. That there have been no previous extensions of this deadline.
- 25 4. That good cause exists for this extension of time because the calendars of the parties'
26 respective counsel, and of the parties, are such that there are few, if any, mutually convenient dates
27 available for the depositions of the parties, and witnesses, between now and September 29, 2017.
- 28 5. That the Court has granted Defendants Macias, Short, Curry, Hudson, Jimenez, Santos,

1 and Ochoa's unopposed ex parte application to take the deposition of Jacob Eugene Robertson, who is
2 in the custody of the California Department of Corrections and Rehabilitation at the Substance Abuse
3 Treatment Facility and State Prison (SATF-CSP) in Corcoran, California. ECF No. 40.

4 6. That the depositions of Plaintiff and his mother will be taken in San Diego, California
5 and the depositions of any Defendants that Plaintiff elects to depose will be taken at North Kern State
6 Prison in Delano, California, subject to the prison's availability.

7 7. The parties respectfully request that this Court extend the non-expert discovery
8 deadline to November 3, 2017.

9 IT IS SO STIPULATED.

10 Dated: August 15, 2017

ANDRADA & ASSOCIATES

11 /s/ Lynne G. Stocker

12 By: _____
13 LYNNE G. STOCKER
Attorneys for Defendant
L. SMALLEY

14 I attest that Arthur Mark and Justin Palmer have authorized me to file this document with
15 their electronic signatures.

16 /s/ Lynne G. Stocker

17 Dated: August 15, 2017

XAVIER BECERRA
ATTORNEY GENERAL OF CALIFORNIA

18 /s/ Arthur B. Mark III

19 By: _____
20 ARTHUR B. MARK III
Deputy Attorney General
Attorneys for Defendants
21 MACIAS, SHORT, CURRY, HUDSON,
JIMENEZ, SANTOS, and OCHOA

22 Dated: August 15, 2017

FILER / PALMER, LLP

23 /s/ Justin A. Palmer

24 By: _____
25 JUSTIN A. PALMER
Attorneys for Plaintiff KHADAPHI PROCTOR

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ORDER

The Court, having received and reviewed the parties' Stipulation to Extend Non-Expert Discovery Deadline (Doc. 41), and good cause to modify the Scheduling Order under Fed. R. Civ. P. 16(b)(4) having been shown, it is hereby ORDERED that the deadline for non-expert discovery is continued from September 29, 2017, to November 3, 2017.

This modification does not change any other existing scheduling deadlines, including the pretrial conference and trial dates.

IT IS SO ORDERED.

Dated: August 15, 2017

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE