

**WAGNER, JONES, KOPFMAN
& ARTENIAN LLP**

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Attorneys for Plaintiff BERNARDINA GOMEZ individually and as successor-in-interest to Esteven Andrade Gomez (deceased)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BERNARDINA GOMEZ individually and as
successor-in-interest to Esteven Andrade
Gomez, deceased,

Plaintiff,

v.

CITY OF FARMERSVILLE;
FARMERSVILLE POLICE DEPARTMENT;
and DOES 1-50, inclusive,

Defendants.

Case No.: 1:16-cv-01252-AWI-SKO

**STIPULATION AND ORDER TO
CONTINUE EXPERT DISCOVERY
DEADLINES**

(Doc. 34)

Plaintiff BERNARDINA GOMEZ, individually and as successor-in-interest to Esteven Andrade Gomez, deceased, and Defendants CITY OF FARMERSVILLE and FARMERSVILLE POLICE DEPARTMENT, by and through their respective counsel, hereby stipulate:

1. This case was filed in the U.S. District Court, Eastern Division - Fresno, on August 24, 2016 based on the death of Plaintiff BERNADINA GOMEZ's son while in custody of the Farmersville Police Department following arrest;

2. Pursuant to the court's instruction (see ECF No. 22), the parties engaged in confidential discussions with each other and the court regarding information resolution of this

1 action in advance of the settlement conference, which was originally scheduled for December 5,
2 2017.

3 3. Following these discussions, the hearing was vacated based on the court's
4 evaluation that a settlement was unlikely to occur on the original date. The conference was re-set
5 for February 21, 2017.
6

7 4. As of the date the court rescheduled the settlement conference, several critical
8 depositions—including those of the involved officers and the decedent's mother—had not yet
9 taken place. Those depositions have now taken place and are concluded.

10 5. While the settlement conference is set for February 21, 2018, expert disclosures
11 are due before that date.
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13 6. The parties have met and conferred, and believe that extending the expert
14 deadlines until after the settlement conference will be preferable for all involved. Doing so will
15 limit case expenses for both sides, with the benefit of facilitating a potential settlement by
16 reducing unnecessary costs.
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18 7. Accordingly, the parties respectfully request that the current scheduling order (see
19 ECF No. 20) be modified as follows:

- 20 • Expert disclosures – February 8, 2018 to March 21, 2018;
- 21 • Rebuttal expert disclosures – February 22, 2018 to April 4, 2018; and
- 22 • Expert discovery deadline – March 9, 2018 to April 18, 2018.

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24 8. No other changes are sought, and the parties appreciate the court's consideration
25 of their request.
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Respectfully submitted,

Dated: Feb. 5, 2018

**WAGNER, JONES, KOPFMAN
& ARTENIAN LLP**

/s/Laura E. Brown

Laura E. Brown

Attorneys for Plaintiff BERNADINA GOMEZ

Dated: Feb. 5, 2018

FERGUSON, PRAET & SHERMAN, APC

/s/Shawn I. Abuzalaf¹

Shawn I. Abuzalaf

Attorneys for Defendants

* * *

ORDER

Having reviewed the above stipulation (Doc. 34) and good cause appearing therefore, IT IS HEREBY ORDERED that the:

Expert witness disclosure deadline is extended to March 21, 2018;

Rebuttal expert witness disclosure is extended to April 4, 2018; and

Expert witness discovery is extended to April 18, 2018.

These modifications do not change any other existing scheduling deadlines, including motion deadlines, the pretrial conference, and the trial date.

IT IS SO ORDERED.

Dated: February 7, 2018

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

¹ Authorization for signature received on February 5, 2018.