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22 SHERIFF DONNY YOUNGBLOOD

23 UNITED STATES DISTRICT COURT
24 EASTERN DISTRICT OF CALIFORNIA

25 MARK ASHELY, INDIVIDUALLY AND ON
26 BEHALF OF THOSE SIMILARLY
27 SITUATED,

28 Plaintiff,

v.

SHERIFF DONNY YOUNGBLOOD, et al.

Defendants.

CASE NO. 1:16-cv-01638-JLT

**STIPULATION AMENDING
SCHEDULING ORDER; [PROPOSED]
ORDER GRANTING IN PART**

(Doc. 95)

29 The parties to the above-captioned action, by and through their attorneys of record, hereby
30 enter into the below stipulation with regard to the following facts and circumstances:

31 WHEREAS, the parties have been actively advancing this case since the Consent Forms
32 were returned in late February 2019 by opt-ins, including exchanging multiple sets of written
33 discovery, exchanging thousands of pages of documents and data, and identifying viable deposition
34 dates;

1 WHEREAS, the parties are presently meeting and conferring over Defendant's pending
2 discovery responses to attempt to avoid seeking Court intervention;

3 WHEREAS, Attorney Briana Kim is currently on maternity leave for a couple of months
4 and will be unavailable;

5 WHEREAS, the parties have not yet been able to coordinate deposition dates in light of the
6 pending written discovery issues that need to first be resolved;

7 WHEREAS, the parties therefore believe good cause exists to further amend the Court's
8 Scheduling Order to permit the parties to continue gathering discovery to adequately prepare this
9 case for trial;

10 IT IS STIPULATED THAT:

11 The parties' deadline to complete all discovery shall be continued from November 8, 2019
12 to August 10, 2020, or to a later date the Court deems appropriate and convenient. The parties'
13 deadline to disclose all expert witnesses, in writing, shall be continued from November 23, 2019 to
14 August 24, 2020, or to a later date the Court deems appropriate and convenient. The parties'
15 deadline to disclose all expert rebuttal witnesses, in writing, shall be continued from December 14,
16 2019 to August 24, 2020. The parties' deadline to complete all discovery pertaining to experts
17 shall be continued from January 6, 2020 to October 6, 2020, or to a later date the Court deems
18 appropriate and convenient.

19 The deadline to file non-dispositive motions and have them heard shall be continued from
20 January 17, 2020 (filing) and February 18, 2020 (hearing) to October 19, 2020 (filing) and
21 November 18, 2020 (hearing), or to a later date the Court deems appropriate and convenient.

22 The deadline to file dispositive motions and class certification shall be continued from
23 February 25, 2020 to November 25, 2020, or to a later date the Court deems appropriate and
24 convenient. The deadline for hearing on dispositive motions and class certification shall be
25 continued from April 7, 2020 to January 7, 2021, or to a later date the Court deems appropriate and
26 convenient.

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The Pre-Trial Conference shall be continued from May 19, 2020 at 10:00 a.m. to January 19, 2021, or to a later date the Court deems appropriate and convenient. Trial shall be continued from August 24, 2020 at 8:30 a.m. to May 24, 2021, or to a later date the Court deems appropriate and convenient.

IT IS SO STIPULATED.

Dated: October 25, 2019

MAHONEY LAW GROUP, APC

By: /s/ Katherine J. Odenbreit (as authorized on 10.25.19)
KATHERINE J. ODENBREIT

Attorneys for Plaintiff
DARREN WONDERLY

Dated: October 25, 2019

JACKSON LEWIS P.C.

By: /s/ Nathan W. Austin
NATHAN W. AUSTIN
EVAN D. BEECHER

Attorneys for Defendant
SHERIFF DONNY YOUNGBLOOD

1 **ORDER**

2 Though the parties report that they have an ongoing discovery dispute and have failed to set
3 and take depositions, they offer no explanation about these issues and offer no discussion why the
4 case schedule should be modified as dramatically as they suggest. Likewise, they do not
5 acknowledge that the Court has already amended the case schedule several times when the prior
6 attorney handled the case and once after current counsel took over. This case has lingered in this
7 Court for three years and this is far too long. Thus, the Court **GRANTS** the stipulation **IN PART**
8 as follows:

9 1. The parties **SHALL** complete all non-expert discovery **no later than March 6,**
10 **2020;**

11 2. The parties **SHALL** disclose experts **no later than March 23, 2020** and rebuttal
12 experts **no later than April 20, 2020**. The parties **SHALL** complete all non-expert discovery **no**
13 **later than May 29, 2020;**

14 3. The parties **SHALL** file non-dispositive motions, if any, **no later than June 12,**
15 **2020** and they will be heard **no later than July 10, 2020**.

16 4. The parties **SHALL** file dispositive motions and motions to certify the collection
17 under the FLSA, **no later than July 24, 2020** and they will be heard **no later than August 31,**
18 **2020**.

19 5. The pretrial conference is **CONTINUED** to **October 19, 2020** at 9:30 a.m.

20 6. The trial is **CONTINUED** to **December 14, 2020** at 8:30 a.m.

21
22 IT IS SO ORDERED.

23 Dated: **October 29, 2019**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE