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CITY OF TURLOCK; GREGORY W. ROTON; DUSTIN
7 M. FERREIRA; GABRIEL GONZALEZ; and PAUL
INDERBITZEN
8

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

12 RANDY BEAVERS,

13 Plaintiff,

14 v.

15 CITY OF TURLOCK, a municipal
corporation, Turlock Police Department
16 Officers GREGORY W. ROTON,
Individually, DUSTIN M. FERREIRA,
17 Individually, GABRIEL GONZALEZ,
Individually, PAUL INDERBITZEN,
18 Individually, and DOES 1 THROUGH 50,
Jointly and Severally,

19 Defendants.
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Case No.: 1:16-cv-01878-LJO-BAM

**STIPULATION RE: LIMITED EXTENSION
FACT DISCOVERY DEADLINE; ORDER**

22 **TO THE CLERK OF THE COURT, ALL PARTIES, AND THEIR ATTORNEYS**
23 **OF RECORD:**

24 Plaintiff RANDY BEAVERS (“Plaintiff”) and Defendants CITY OF TURLOCK;
25 GREGORY W. ROTON; DUSTIN M. FERREIRA; GABRIEL GONZALEZ; and PAUL
26 INDERBITZEN (“Defendants”) hereby respectfully request a limited continuation of the fact
27 discovery deadline in this Case. All other case deadlines would remain the same.
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1 The fact discovery deadline has never been extended. Good cause exists for this
2 stipulation.

3 The current fact discovery deadline is February 16, 2018. Remaining depositions are
4 Plaintiff and his wife, Brenda Beavers, and possibly another witness as well as Plaintiff's treating
5 physicians.

6 Plaintiff responded to served written discovery on September 18, 2017. Those responses,
7 including Requests for Production of Documents, generally included one of three answers: do not
8 possess; will produce the document; or will meet-and-confer. No documents were included with
9 the responses; Plaintiff proceeded in this fashion with the idea that it would be more efficient
10 because Defendants elected to issue subpoenas for some of the same documents that had been
11 requested, and the parties were simultaneously negotiating acceptable language for the scope of
12 the subpoenas. Plaintiff anticipated that the subpoenas would yield complete sets of the
13 documents.

14 Between September 18th and February 1st, the parties met-and-conferred about the
15 responses. With good-faith efforts by all sides, the issue is nearly resolved. Plaintiff's current
16 estimated date of production is February 9, 2018.

17 The deposition of Plaintiff and his wife had been scheduled for February 13, 2018. Both
18 have been taken off-calendar due to the delayed document production. Defendants need sufficient
19 time to review the documents beforehand, and Plaintiff understands this, has no objection to this,
20 and has met-and-conferred with defense counsel to ensure arrangements are made so that counsel
21 has sufficient time to review documents.

22 The parties also wish to hold-off on deposing Plaintiff's treating physicians while they
23 explore the possibility of case resolution.

24 Based on the foregoing circumstances, by and through their respective counsel of record,
25 the parties hereby stipulate and respectfully request that the Scheduling Order in this action be
26 amended, as follows:

27 1. The current fact discovery deadline be extended from February 16, 2018 to April
28 2, 2018 for the following: the deposition of Plaintiff, the deposition of Plaintiff's wife, Brenda

1 Beavers, the deposition of witness Sanjay Prasad, and the deposition of any of Plaintiff's treating
2 physicians, if those depositions go forward.

3 2. The February 16, 2018 deadline remains for all other fact discovery.

4 3. All other case deadlines specified in Docket No. 13 remain unchanged.

5 Dated: February 8, 2018

LAW OFFICES OF SANJAY S. SCHMIDT AND
LAW OFFICES OF PANOS LAGOS

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By: /s/ Sanjay Schmidt
SANJAY SCHMIDT
PANOS LAGOS
Attorneys for Plaintiff
RANDY BEAVERS
Respectfully submitted,

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Dated: February 8, 2018

ALLEN, GLAESSNER,
HAZELWOOD & WERTH, LLP

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By: /s/ Kevin P. Allen
DALE L. ALLEN, JR.
KEVIN P. ALLEN
Attorneys for Defendants
CITY OF TURLOCK; GREGORY W.
ROTON; DUSTIN M. FERREIRA; GABRIEL
GONZALEZ; and PAUL INDERBITZEN

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ORDER

Upon reviewing the Stipulation, and for good cause being shown, **IT IS HEREBY ORDERED** as follows:

1. The current fact discovery deadline be extended from February 16, 2018 to April 2, 2018 for the following: the deposition of Plaintiff, the deposition of Plaintiff's wife, Brenda Beavers, the deposition of witness Sanjay Prasad, and the deposition of any of Plaintiff's treating physicians, if those depositions go forward;

2. The February 16, 2018 deadline remains for all other fact discovery;

3. This extension of time to complete fact discovery does not alter the date of any event or deadline already fixed by the Court's scheduling order. (Doc. 13).

IT IS SO ORDERED.

Dated: February 9, 2018

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE