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15 Attorneys for: Defendants CITY OF BAKERSFIELD, OFFICER DANNI MELENDEZ,  
16 OFFICER SANTOS LUEVANO, OFFICER NATHAN POTEETE, OFFICER  
17 RYAN CLARK, OFFICER FRANK McINTYRE, OFFICER LORENA  
18 VAZQUEZ, OFFICER NESTOR BARAJAS and SERGEANT DANIEL  
19 McAFEE

20 UNITED STATES DISTRICT COURT  
21 EASTERN DISTRICT OF CALIFORNIA

22 TIMOTHY GRISMORE, an individual; ) Case No. 1:17-CV-00413-AWI-JLT  
23 XAVIER HINES, an individual, )  
24 )  
25 Plaintiffs, ) **STIPULATION EXTENDING EXPERT**  
26 vs. ) **DISCOVERY CUTOFF; [PROPOSED]**  
27 ) **ORDER THEREON**  
28 )  
29 )  
30 CITY OF BAKERSFIELD, a municipality; )  
31 OFFICER MELENDEZ, an individual; )  
32 OFFICER LUEVANO, an individual; )  
33 OFFICER POTEETE, an individual; )  
34 OFFICER CLARK, an individual; )  
35 OFFICER McINTYRE, an individual; )  
36 OFFICER VAZQUEZ, an individual; )  
37 OFFICER BARAJAS, an individual; )  
38 OFFICER McAFEE, an individual; )  
39 and DOES 1-10, inclusive, )  
40 )  
41 Defendants. )  
42 )  
43 )

1 **RECITALS**

2 **WHEREAS**, pursuant to the stipulation of the parties and the Court’s April 13, 2018 Order [Dkt.  
3 No. 45] thereon, the expert discovery cutoff in this matter is August 17, 2018.

4 **WHEREAS**, the Parties require additional time to complete the depositions of the expert witnesses  
5 in this matter and request that the August 17, 2018, cutoff be extended to September 28, 2018, for the  
6 following reasons:

7 1. Defendants’ counsel is currently in the process of working with expert witnesses to  
8 complete expert witness reports by the August 17, 2018, deadline to disclose in the case of *Twelve Sixty*  
9 *LLC, et al. v. Extreme Music Library Limited, et al.*, United States District Court, Southern District of  
10 New York, Case No. 1:17-CV-01479-PAC. The *Twelve Sixty LLC* case is complex and involves the  
11 review and analysis of well over 500,000 documents and media files. Defendants’ counsel is therefore  
12 unavailable for depositions until after the August 17, 2018, cutoff in this matter.

13 2. Plaintiffs’ counsel will be out of the area the week of August 27, 2018, and is  
14 therefore unavailable to complete depositions until September 2018.

15 3. Defendants’ counsel is in the process of preparing for trial in the case of *The Estate*  
16 *of Jason Alderman, et al. v. City of Bakersfield, et al.*, United States District Court, Eastern District of  
17 California, Case No. 1:16-CV-00994-DAD-JLT, which is scheduled to begin trial on September 11, 2018,  
18 and will therefore be unavailable for depositions in this matter until late September 2018.

19 **WHEREAS**, the Parties have met and conferred regarding the expert depositions in this matter  
20 and have agreed to take the depositions on September 24, 2018.

21 **WHEREAS**, nothing in this Stipulation shall affect the trial date of January 14, 2019.

22 **IT IS HEREBY STIPULATED**, by and between the parties hereto, through their respective  
23 attorneys of record, that the expert discovery cutoff, currently set for August 17, 2018, be extended to  
24 September 28, 2018.

25 Dated: August 13, 2018.

MARDEROSIAN & COHEN

26 */s/ Michael G. Marderosian*  
27 By: \_\_\_\_\_  
28 Michael G. Marderosian  
Attorney for Defendants above-named.

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Dated: August 13, 2018.

ALDERLAW PC

*/s/ Neil Gehlawat*  
By: \_\_\_\_\_  
Neil Gehlawat,  
Attorney for Plaintiffs

Dated: August 13, 2018.

THE LAW OFFICE OF  
THOMAS C. SEABAUGH

*/s/ Thomas C. Seabaugh*  
By: \_\_\_\_\_  
Thomas C. Seabaugh,  
Attorney for Plaintiffs

**ORDER**

Pursuant to the Stipulation of the Parties and GOOD CAUSE APPEARING THEREFOR,  
IT IS HEREBY ORDERED THAT the expert discovery cutoff date of August 17, 2018, be extended to  
September 28, 2018.

IT IS SO ORDERED.

Dated: August 13, 2018

*/s/ Jennifer L. Thurston*  
UNITED STATES MAGISTRATE JUDGE