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13 **UNITED STATES DISTRICT COURT**
14 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

15 KIM ADAMS, an individual,) CASE NO. 1:17-cv-00464-JLT
16 Plaintiff,)
17 vs.) **ORDER GRANTING IN PART**
18) **STIPULATION TO MODIFY**
19) **SCHEDULING ORDER**
20)
21 COUNTY OF KERN;) (Doc. 43)
22 KERN COUNTY PROBATION)
23 DEPARTMENT;)
24 DAVID M. KUGE, an individual;)
25 REYES SOBERON, JR., and individual; and)
26 DOES 1 through 50, inclusive,)
27)
28)
29 Defendants.)

30 TO THE HONORABLE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF
31 RECORD:

32 PLEASE TAKE NOTICE that Plaintiff KIM ADAMS, an individual, and Defendants
33 COUNTY OF KERN; KERN COUNTY PROBATION DEPARTMENT; DAVID M. KUGE, an
34 individual; REYES SOBERON, JR., an individual; and DOES 1 through 50 (hereafter
35 collectively the “parties”), by and through their counsel of record, hereby stipulate and agree as
36 follows:

37 WHEREAS, due to the continuance of criminal proceedings against Defendant Reyes
38 Soberon, Jr. and the pendency of Plaintiff’s related case in the California Court of Appeal for the

1 Fifth Appellate District, the parties entered an initial Joint Stipulation to Extend Dates and
2 Deadlines that was approved by the Court on September 13, 2018 (ECF No. 32);

3 WHEREAS, due in part to the fact that Plaintiff's son, Marcus Anthony Ramirez,
4 sustained a serious gunshot wound that resulted in Plaintiff incurring familial obligations that
5 interfered with her availability for discovery proceedings, the parties entered a second Stipulation
6 to Modify Scheduling Order that was approved by the Court on April 23, 2019 (ECF No. 36);

7 WHEREAS, due to the fact that Plaintiff's children and caretaker needed to attend to an
8 ill family member out of town and/or were required to attend medical appointments which
9 circumstances interfered with their availability for discovery proceedings and due to the fact that
10 counsel for Defendants County of Kern and David M. Kuge needed to undergo knee surgery, the
11 parties entered a third Stipulation to Modify Scheduling Order that was approved by the Court on
12 June 24, 2019 (ECF No. 38);

13 WHEREAS, due to complications in the knee surgery that counsel for Defendants County
14 of Kern and David M. Kuge underwent, the parties entered a fourth Stipulation to Modify
15 Scheduling Order that was approved by the Court on July 24, 2019 (ECF No. 40);

16 WHEREAS, the parties have continued in good faith to cooperate in scheduling discovery
17 proceedings in this matter and had scheduled depositions of Plaintiff's sons and caretaker for
18 October 22 and 23, 2019 and a Mental Health Examination of Plaintiff for October 30, 2019;

19 WHEREAS, Plaintiff's son, Angel Ramirez Adams, who was to be deposed on October
20 23, 2019, sustained a severe leg injury shortly before that date requiring emergency room
21 treatment and subsequent treatment in Los Angeles that has rendered Plaintiff, her sons, and her
22 caretaker unavailable for discovery proceedings until mid-January 2020;

23 WHEREAS, Plaintiff has confirmed her availability for her Mental Health Examination
24 on Saturday, January 11, 2020, and Defendants have confirmed the availability of their examiner
25 on that date;

26 WHEREAS, the parties have agreed to again extend the dates and deadlines in this matter
27 as outlined below:
28

Event/Deadline	Existing Date	Stipulated New Date
Mental Examination of Plaintiff	October 30, 2019	January 11, 2020
Non-Expert Discovery Deadline	December 2, 2019	January 27, 2020
Expert Witness Disclosure	January 2, 2020	February 27, 2020
Rebuttal Witness Disclosure	February 3, 2020	March 30, 2020
Expert Discovery Deadline	March 4, 2020	April 29, 2020
Non-Dispositive Motion Deadline (Filing)	April 6, 2020	June 1, 2020
Non-Dispositive Motion Deadline (Hearing)	May 4, 2020	June 29, 2020
Dispositive Motion Deadline (Filing)	June 8, 2020	August 3, 2020
Dispositive Motion Deadline (Hearing)	July 20, 2020	September 14, 2020
Pre-Trial Conference	October 5, 2020	November 30, 2020
Trial	November 30, 2020	March 1, 2021

WHEREAS, the parties understand that they have already requested modification of the Court's Scheduling Order multiple times and that such modification places a burden on the Court and all counsel;

WHEREAS, the parties intend to prevent further continuances by agreeing that the present request for modification of the Court's Scheduling Order shall be the last;

IT IS THEREFORE STIPULATED AND AGREED THAT:

1. All dates and deadlines may be continued as outlined by the parties above; and
2. The parties shall not request further continuances of the dates and deadlines referred to herein.

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Respectfully Submitted,

DATED: October 29, 2019

WEAKLEY & ARENDT

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A PROFESSIONAL CORPORATION

/s/ Brande Gustafson (authorized on 10/29/19)
James D. Weakley
Brande L. Gustafson
Attorneys for Defendant, Reyes Soberon, Jr.

DATED: October 29, 2019

MARGO A. RAISON,
KERN COUNTY COUNSEL

/s/ Kathleen Rivera (authorized on 10/29/29)
Kathleen Rivera, Deputy County Counsel
Attorneys for Defendants County of Kern, Kern
County Probation Department, and David M. Kuge

DATED: October 29, 2019

GERAGOS & GERAGOS, APC

/s/ Ben Meiselas
Mark J. Geragos
Ben J. Meiselas
Noah Geldberg
Attorneys for Plaintiff Kim Adams

ORDER

The parties have stipulated to amend the case schedule. They offer no explanation why the trial should be continued so far out. Indeed, even with the modifications sought, there is no need to change the pretrial or trial date. Thus, the Court **GRANTS** the stipulation **IN PART** and **ORDERS** the case schedule to be amended as follows:

1. The plaintiff **SHALL** submit to the mental health examination on **January 11, 2020;**
2. The parties **SHALL** complete all non-expert discovery no later than **January 27, 2020** and expert discovery **no later than April 29, 2020.** The parties **SHALL** disclose their experts **no later than February 27, 2020** and their rebuttal experts **no later than March 27, 2020;**
3. Non-dipositive motions, if any, **SHALL** be filed **no later than May 22, 2020** and heard **no later than June 19, 2020;**

