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11 Attorneys for Defendant, Reyes Soberon, Jr.

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

KIM ADAMS, an individual,	)	CASE NO. 1:17-cv-00464-JLT
	)	
Plaintiff,	)	<b>STIPULATION AND [Proposed] ORDER</b>
	)	<b>TO MODIFY SCHEDULING ORDER</b>
vs.	)	<b>(Doc. 45)</b>
	)	
COUNTY OF KERN; KERN COUNTY	)	
PROBATION DEPARTMENT; DAVID M.	)	
KUGE, an individual; REYES SOBERON,	)	
JR., and individual; and DOES 1 through 50,	)	
inclusive,	)	
	)	
Defendants.	)	

19 The parties, by and through their respective counsel, have stipulated to modify the non-  
20 dispositive motion filing deadline from May 22, 2020 with hearing date of June 19, 2020 to July  
21 10, 2020 with a hearing date no later than August 20, 2020.

22 The parties have previously requested a modification of the scheduling order on five  
23 prior occasions due to the continuance of criminal proceedings in defendant Reyes Soberon,  
24 Jr.'s related criminal case and the pendency of the plaintiff's related appeal in the Fifth District  
25 Court of appeal, and series of health issues for plaintiff, her family members, and counsel for  
26 County of Kern and David M. Kuge. *See* Doc. Nos. 32, 36, 38, 40, and 43.

27 The parties have completed all discovery in the case, but have been working together to  
28 obtain a copy of defendant Reyes Soberon, Jr.'s cell phone records that are at issue in this

1 action. The process has taken longer than anticipated as the original cell phone carrier indicated  
2 that it did not have the records and to try another carrier, which required the process to start all  
3 over again. During that time the Coronavirus pandemic spread across the globe and cities and  
4 states in the United States enacted various shelter in place orders. As a result, it took nearly a  
5 month and a half to receive a response to the request for subscriber records. The cellphone  
6 carrier represented that it would need a new authorization set to their specifications before they  
7 would consider releasing the cell phone records. Counsel for defendant Reyes Soberon, Jr. is  
8 working on obtaining a new authorization.

9 The parties are working together to obtain these records in an effort to avoid the need for  
10 judicial intervention, however, with current shelter in place orders across the United States, the  
11 parties have not been able to do so prior to the expiration of the deadline for filing non-  
12 dispositive motions. The parties would like to have the ability to seek a court order to force the  
13 cell phone carrier to produce the cell phone records should their efforts to obtain them through  
14 an authorization fails.

15 Modification of the Scheduling Order is not anticipated to affect the dispositive motion  
16 deadline, pre-trial conference, or trial dates.

17 In light of the foregoing good cause, the parties hereby stipulate and jointly request that  
18 the Court issue an order modifying the current Scheduling Order as follows:

19 <b>Event/Deadline</b>	<b>Existing Date</b>	<b>Stipulated New Date</b>
20 Non-Dispositive Motion Filing Deadline	May 22, 2020	July 10, 2020
21 Non-Dispositive Motion Hearing Deadline	June 19, 2020	August 20, 2020

22 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

23 Respectfully Submitted,

24 DATED: May 15, 2020

WEAKLEY & ARENDT  
A PROFESSIONAL CORPORATION

26 /s/ Brande L. Gustafson  
27 James D. Weakley  
28 Brande L. Gustafson  
Attorneys for Defendant, Reyes Soberon, Jr.

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DATED: May 15, 2020

MARGO A. RAISON,  
KERN COUNTY COUNSEL

/s/ Marshall S. Fontes (As authorized on 5/15/20)  
Marshall S. Fontes, Deputy County Counsel  
Attorneys for Defendants County of Kern, Kern  
County Probation Department, and David M. Kuge

DATED: May 15, 2020

GERAGOS & GERAGOS

/s/ Noah Geldberg (As authorized on 5/15/20)  
Mark J. Geragos  
Ben J. Meiselas  
Noah Geldberg  
Attorneys for Plaintiff Kim Adams

**ORDER**

IT IS SO ORDERED.

Dated: May 16, 2020

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE