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COLEMAN PAYNE
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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA,
9 FRESNO DIVISION

10 COLEMAN PAYNE, an individual,
11 Plaintiff,

12 v.

13 STATE OF CALIFORNIA, a government
14 entity and state in the United States;
15 DEPARTMENT OF STATE HOSPITALS, a
16 government agency form unknown;
17 METROPOLITAN STATE HOSPITAL, an
18 entity form unknown; COUNTY OF
19 CALAVERAS, a government entity in the
20 State of California; CALAVERAS COUNTY
21 SHERIFF, a governmental agency of unknown
22 form; CALAVERAS COUNTY JAIL, an
entity form unknown; JOHN P. BAILEY, an
individual; JOY LYNCH, an individual;
CALIFORNIA FORENSIC MEDICAL
GROUP, a business entity of unknown form
located in the State of California; DOES 2
through 50 inclusive,

23 Defendants.
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Case No. 1:17-cv-00906-DAD-SKO

**STIPULATION AND ORDER TO
CONTINUE DATES SET IN THE
COURT'S SCHEDULE ORDER
DOCUMENT 54, DATED 05/24/18**

(Doc. 88)

25 **IT IS HEREBY STIPULATED BY AND AMONG** Defendants County of Calaveras,
26 County of Calaveras Sheriff's Office, Sergeant John Bailey, Captain Eddie Ballard and Lieutenant
27 Tim Sturm, Plaintiff Coleman Payne, and Co-Defendants Joy Lynch and California Forensic
28 Medical Group ("CFMG"), through their respective counsel:

1 Defendants County of Calaveras (“County”), County of Calaveras Sheriff’s Office
2 (“CCSO”), Sergeant John Bailey, Captain Eddie Ballard, Lieutenant Tim Sturm, Plaintiff Coleman
3 Payne (“Payne”) and Defendants Joy Lynch and CFMG, referred to herein as the “Parties,” hereby
4 stipulate , request, and consent to the Court entering an Order to continue the dates set by this Court
5 in Document 54 as set forth herein below.

6 If any of the dates below are not agreeable to this Court the parties signing below would also
7 agree to any later date for any given proposed date listed below. In the alternative, if this Court
8 would rather proceed with a new scheduling conference as a more agreeable means of setting new
9 deadline dates for this case, the parties signing below also consent to that alternative approach.

10 This request and stipulation is based on the fact that due to unavoidable delays encountered
11 in proceeding with the deposition of plaintiff related safety concerns for plaintiff, as she was
12 required to travel to California from out of state, and delays in securing the service of process for
13 the TAC on a newly identified and added defendant to this matter, though such service has been
14 diligently sought and recently accomplished, the Parties hereby agree and request that this court
15 grant additional time for the orderly progression of this case through necessary discovery and to the
16 proposed new trial date as set forth herein:

17 DISCOVERY DEADLINES:

- 18 Non-Expert Discovery: Current date: May 3, 2018
- 19 Proposed New Date: October 11, 2019;
- 20 Expert Disclosure: Current Date: May 20, 2019;
- 21 Proposed New Date: October 31, 2019;
- 22 Rebuttal Expert Disclosure: June 10, 2019
- 23 Proposed New Date: November 22, 2019;
- 24 Expert Discovery: July 1, 2019
- 25 Proposed New Date: December 13, 2019

26 NON-DISPOSITIVE MOTION DEADLINE:

- 27 Filing: July 9, 2019;
- 28 Proposed New Date: January 3, 2020;

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Hearing: August 7, 2019;

Proposed New Date: February 5, 2020;

DISPOSITIVE MOTION DEADLINES

Filing: July 9, 2019;

Proposed New Date: January 31, 2020;

Hearing: August 20, 2019

Proposed New Date: February 25, 2020

SETTLEMENT CONFERNCE;

May 30, 2019, at 10:00 a.m.

Courtroom 7

Proposed New Date: November 14, 2019, at 10:00 a.m.

Courtroom 7 or as convenient for the Court

PRETRIAL CONFERENCE:

November 4, 2019, at 1:30 p.m.

Courtroom 5

Proposed New Date: March 30, 2020, at 1:30 p.m.

Courtroom 5 or as convenient for the Court

TRIAL: January 7, 2020, at 1:00 p.m.

Courtroom 5, 8-10 days

Proposed New Date: May 19, 2020, at 1:30 p.m., 8-10 days

Courtroom 5 or as is convenient for the Court

IT IS SO STIPULATED.

1 Dated: March 15, 2019

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

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By: /s/ Deborah A. Byron
Deborah A. Byron
Attorneys for Defendants County of Calaveras,
Calaveras County Sheriff's Office, John P. Bailey,
Eddie Ballard and Tim Sturm

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8 Dated: March 15, 2019

Slater Law, APC

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By: /s/ Theodore Slater
Theodore Slater
Attorneys for Plaintiff, COLEMAN PAYNE

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Dated: March 15, 2019

The Law Offices of Jerome M. Varanini

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By: /s/ Jerome M. Varanini
Jerome M. Varanini
Attorneys for Defendants, JOY LYNCH and
CALIFORNIA FORENSIC MEDICAL GROUP

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ORDER

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Based in part on the parties' above-stipulation (Doc. 88), and with good cause shown, the Court hereby ORDERS that the Scheduling Order (Doc. 54) is modified as follows:¹

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Event	Prior Date	Continued Date
Non-Expert Discovery Completion	May 3, 2019	October 11, 2019
Expert Disclosures	May 20, 2019	October 31, 2019
Rebuttal Expert Disclosures	June 10, 2019	November 22, 2019
Expert Discovery Completion	July 1, 2019	December 13, 2019

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¹ Several of the dates proposed by the parties have been adjusted to comport with the Court's calendar, to allow the Court adequate time to rule on dispositive motions, and to permit the parties sufficient time to prepare their pretrial submissions and for trial.

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1	Non-Dispositive Motion Filing	July 9, 2019	January 3, 2020
2	Non-Dispositive Motion Hearing	August 7, 2019	February 5, 2020
3	Dispositive Motion Filing	July 9, 2019	January 31, 2020
4	Dispositive Motion Hearing	August 20, 2019	March 17, 2020
5	Settlement Conference	May 30, 2019	November 12, 2019, at 10:00 am
6	Pretrial Conference	November 4, 2019, 1:30 pm	June 1, 2020, at 3:30 pm
7	Trial	January 7, 2020, 1:00 p.m.	July 28, 2020, at 8:30 a.m.

10 IT IS SO ORDERED.

12 Dated: March 18, 2019

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE