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[Filing fee exempt  
Gov. Code § 6103]

6 Attorneys for Defendant,  
KERN HIGH SCHOOL DISTRICT  
7

8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT

10 \* \* \*

11 LM, a minor, by and through his Guardian ad  
Litem, GRISELDA MARTIN,

12 Plaintiff,

14 vs.

15 KERN HIGH SCHOOL DISTRICT, and  
16 DOES 1 to 100, Inclusive,

17 Defendants.

**CASE NO. 1:17-CV-01123-DAD-JLT**

**STIPULATION TO EXTEND EXPERT  
DISCOVERY DEADLINES; [~~PROPOSED~~]  
ORDER THEREON  
(Doc. 22)**

18 The parties in the above-captioned matter, Plaintiff, LM, by and through his Guardian as Litem,  
19 GRISELDA MARTIN (“Plaintiff”), by and through his attorneys of record, J. Miguel Flores of  
20 Rodriguez & Associates, and Defendant KERN HIGH SCHOOL DISTRICT (“Defendant”) (Plaintiff  
21 and Defendant are collectively referred to as the “Parties”), by and through its attorneys of record,  
22 Daniel T. Clifford and Dennis P. Gallagher, II, of Clifford & Brown, P.C., hereby enter into this  
23 Stipulation to Extend Discovery Deadlines, as follows:

24 **RECITALS**

25 WHEREAS the Parties have actively engaged in the discovery process to date, including the  
26 exchange of written discovery requests and responses, the taking of five depositions to date, the setting  
27 of numerous other depositions;  
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1 WHEREAS Plaintiff has objected to Defendant's Demand to inspect the home of Plaintiff and  
2 Defendant intends to file a Motion to Compel said inspection in the near future;

3 WHEREAS the Court previously extended non-expert discovery deadlines and the expert  
4 discovery deadline by way of Stipulation of the Parties filed on June 29, 2018, but the Parties  
5 inadvertently failed to include extensions relating to other deadlines related to expert discovery, namely  
6 the dates for expert disclosure and rebuttal experts;

7 WHEREAS the Parties desire to further continue the deadline for conducting expert discovery  
8 to November 21, 2018, as well as to extend the expert disclosure dates to align with the continued  
9 expert discovery date. The Parties propose October 5, 2018 as the date for expert disclosures and  
10 October 26, 2018 as the date for rebuttal expert disclosure;

11 WHEREAS the Parties agree that the extensions proposed above are warranted given the  
12 accidental omission of extended disclosure dates in the June 29, 2018 Stipulation, the substantial and  
13 significant amount of ongoing discovery which will be vital to experts developing their opinions, issues  
14 relating to liability and damages, and ongoing issue relating to the inspection of Plaintiff's home that  
15 will require Court intervention to resolve.

16 **STIPULATION**

17 **IT IS FURTHER STIPULATED** by and between the Parties that the expert discovery  
18 deadline of October 9, 2018, be and hereby is continued to November 21, 2018.

19 **IT IS FURTHER STIPULATED** by and between the Parties that the expert disclosure date  
20 of August 3, 2018, be and hereby is continued to October 5, 2018.

21 **IT IS FURTHER STIPULATED** by and between the Parties that the rebuttal expert disclosure  
22 date of August 24, 2018, be and hereby is continued to October 26, 2018.

23 **IT IS FURTHER STIPULATED** that all other dates and deadlines set by the Court in its  
24 Scheduling Order dated November 20, 2017, other than the non-expert discovery deadline which has  
25 been continued to September 21, 2018, remain on calendar or may be adjusted by the Court in its  
26 discretion.

27 **IT IS FURTHER STIPULATED** that this stipulation may be signed in counterparts.  
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DATED: July 27, 2018

CLIFFORD & BROWN

By Dennis P. Gallagher, Esq. - /s/  
DANIEL T. CLIFFORD, ESQ.  
DENNIS P. GALLAGHER, II, ESQ.  
Attorneys for Defendant,  
KERN HIGH SCHOOL DISTRICT

DATED: July 27, 2018

RODRIGUEZ & ASSOCIATES

By Miguel Flores, Esq. - /s/  
DANIEL RODRIGUEZ, ESQ.  
J. MIGUEL FLORES, ESQ.  
Attorneys for Plaintiff,  
L.M., by and through his Guardian ad Litem,  
Griselda Martin

1 **ORDER**

2 As pointed out in the stipulation, less than two weeks ago, the Court granted the counsel’s  
3 stipulation to extend the deadlines related to non-expert and expert deadlines. (Doc. 21) At that time,  
4 the Court noted, “**No other modifications to the case schedule are authorized and the Court**  
5 **anticipates granting no further amendments to the case schedule.**” Id. at 3. Despite this, counsel  
6 seek another extension of time because they failed to consider the expert disclosure dates previously  
7 ordered, which are before the expiration of the non-expert discovery deadline.<sup>1</sup>

8 Thus, the Court **ORDERS**:

- 9 1. All expert discovery SHALL be completed by November 21, 2018;  
10 2. Experts SHALL be disclosed by October 5, 2018 and any rebuttal experts may be  
11 disclosed by October 26, 2018.

12 **Absolutely no other deadlines are modified and the Court WILL NOT entertain any further**  
13 **stipulations to amend the case schedule.**

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15 IT IS SO ORDERED.

16 Dated: **July 28, 2018**

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

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27 <sup>1</sup> The Court was aware that the deadline would expire before the non-expert deadline but presumed counsel was  
28 also. The Court also presumes that counsel is aware that the non-dispositive motion deadlines and dispositive  
motion filing deadline will expire before the completion of expert discovery. However, the Court declines to  
address these issues.