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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAMIRO HUERTA,

Plaintiff,

v.

COUNTY OF TULARE, *et al.*,

Defendants.

Case No. 1:17-cv-01446-EPG

ORDER RE: STIPULATION AND JOINT
REQUEST OF THE PARTIES FOR
MODIFICATION OF THE CASE
MANAGEMENT SCHEDULE DEADLINES

(ECF No. 131).

On January 11, 2023, the parties filed a joint stipulation to modify the operative scheduling order. (ECF No. 131). As grounds, the stipulation states as follows:

4. The Parties continue to diligently work together to complete discovery in this matter. Non-expert fact discovery has been timely completed and the parties have been using their best effort to complete expert discovery in a timely manner, including expert depositions and Rule 35 examinations of plaintiff. . .due to the holidays, calendar conflicts for counsel of all parties, and the experts’ respective conflicts, the parties have been unable to schedule and complete all of the expert depositions in this matter and do not foresee being able to do so by the current expert discovery cut off deadline.
5. Based on plaintiffs’ and defendants’ initial expert disclosures, there are at least 10 experts that need to be deposed in this matter, with more anticipated being added following rebuttal expert disclosures. 6. Plaintiff’s counsel have two trials in January of 2023, which take up most, if not all, available dates this month. Defense counsel are in back to back trials from February until April of 2023,

1 which makes further availability limited with the current deadlines. As such, the
2 parties do not believe all expert depositions will be able to be noticed and taken in
3 the remaining time before the current expert discovery deadline of February 21,
4 2023 [Dkt. 127]. 7. As a trial date has not yet been set in this matter, the parties
believe an additional continuance of the expert discovery and dispositive motion
deadlines would not cause significant issue or unnecessary delay or hardship.

5 (ECF No. 131, p. 2-3). For those reasons, the parties seek extensions for the remaining case
6 deadlines (rebuttal-supplemental expert disclosures, expert discovery cut-off, and dispositive
7 motions). (*Id.* at 4).

8 The Court will grant the parties' request. However, the Court notes that this is the parties'
9 fourth stipulation to extend case deadlines. (*See e.g.*, ECF Nos. 106, 118, 126). The Court also
10 approved the parties' stipulation seeking a limited modification of the schedule regarding
11 Plaintiff's Rule 35 examination. (ECF Nos. 128, 129). Accordingly, no further extensions to the
12 remaining case deadlines will be granted absent extraordinary circumstances.

13 Pursuant to the parties' stipulation (ECF No. 131), IT IS ORDERED that:

- 14 1. The Court's scheduling order (ECF No. 14, as modified by ECF Nos. 85, 108, 119,
15 127) is further modified as follows:

<i>Case Management Event:</i>	<i>Prior-Operative Date-Deadline:</i>	<i>NEW Date-Deadline:</i>
Rebuttal-Supplemental Expert Disclosures Due:	January 13, 2023	March 24, 2023
Expert Discovery Cut-Off	February 21, 2023	May 23, 2023
MSJ/Dispositive Motion Filing Deadline (MCOF):	March 10, 2023	June 2, 2023

- 20 2. No pretrial conference or trial date has been set. All unmodified terms and conditions
21 of the Court's scheduling order (ECF No. 14, as modified by ECF Nos. 85, 108, 119)
22 remain in full force and effect.

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3. Further, the Court continues the telephonic status conference currently noticed for January 30, 2023, to May 3, 2023, at 10:00 A.M. The parties are reminded to file a joint status report at least one week before the status conference, advising the Court about the progress of expert discovery and any other issues the parties deem pertinent. To participate, each party is to use the following dial-in number and passcode: Dial-in number 1-888-251-2909; Passcode 1024453.

IT IS SO ORDERED.

Dated: January 13, 2023

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE