1 2 3 4 5 6 7 8 9 UNITED STATES DISTRICT COURT 10 11 EASTERN DISTRICT OF CALIFORNIA 12 13 TARLOCHAN SINGH, et al., Case No. 1:18-cv-01126-JLT-SAB 14 ORDER RE: STIPULATED MOTION TO Plaintiffs, MODIFY SCHEDULING ORDER 15 v. (ECF Nos. 47, 48) 16 LIVINGSTON COMMUNITY HEALTH, et al., 17 Defendants. 18 19 A scheduling order for this matter issued on March 4, 2021. (ECF No. 38.) A pretrial 20 confirmation is currently set for June 24, 2024, with a trial confirmation hearing on August 20, 21 2024. (ECF No. 46.) Trial is not set. 22 On June 2, 2023, the parties filed a joint stipulation to amend the scheduling order, which 23 the Court construes to be a stipulated motion to modify the scheduling order. (ECF No. 47.) This 24 is the parties' second request to modify the scheduling order. (See ECF No. 46.) The parties seek 25 to continue all deadlines approximately 90 days. The parties proffer they have been diligent in 26 exchanging written discovery and continue to meet in confer. (ECF No. 48.) In addition, the 27

parties proffer Defendant is a federally qualified health care center that was impacted greatly

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during the COVID pandemic, laid off most of its employees and providers in its dental department, shuttered its dental operations, and only within the past 12 months has begun providing dental services again and having qualified individuals who could assist in the review and production of documents relating to Defendants' dental operations. Delays in discovery have therefore resulted. In addition, defense counsel is unavailable for two weeks because he will be on a long-scheduled, prepaid, preplanned vacation celebrating his 40th wedding anniversary; his schedule was recently impacted due to cases scheduled post-pandemic, including a jury trial, "all-consuming discovery and preparation for three arbitration hearings" that are scheduled to be conducted in June through August 2023; and he is scheduled to be out of state on a pending federal court matter in Iowa for an extended period of time. Plaintiffs' counsel, meanwhile, is currently in trial preparations for a case that is unlikely to settle and is therefore unavailable to schedule depositions in this matter for a period of time. The Court finds good cause exists to grant the parties' stipulated motion. In light of the current impacted nature of the Court's schedule in this judicial emergency, rather than set a trial date at this time, the Court shall continue the trial confirmation hearing previously set in this matter.

Accordingly, pursuant to the stipulation of the parties and good cause appearing, IT IS HEREBY ORDERED that the parties' stipulated motion to modify the schedule (ECF No. 47) is GRANTED. The scheduling order is thus modified as follows:

- 1. Expert Disclosure Deadline: **September 15, 2023**;
- 2. Supplemental/Rebuttal Expert Disclosure Deadline: **September 29, 2023**;
- 3. Non-Expert Discovery Deadline: **September 1, 2023**;
- 4. Expert Discovery Deadline: **November 3, 2023**;
 - 5. Dispositive Motion Filing Deadline: **April 10, 2024**;
 - 6. Pretrial Conference: **September 23, 2024,** at **1:30 p.m.**, in **Courtroom 4**; and

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1	No further changes will be granted unless the pretrial hearing is changed by the district judge.	
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3	IT IS SO ORDERED.	
4	Dated: June 5, 2023	
5	UNITED STATES MAGISTRATE	JUDGE
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