

1 McGREGOR W. SCOTT
United States Attorney
2 PHILIP A. SCARBOROUGH (SBN 254934)
Assistant United States Attorney
3 501 I Street, Suite 10-100
Sacramento, CA 95814
4 Telephone: (916) 554-2700
Facsimile: (916) 554-2900
5 Philip.Scarborough@usdoj.gov

6 Attorneys for the United States

7
8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10 LEWIS D. EVANS, et al.,

11 Plaintiffs,

12 v.

13 UNITED STATES,

14 Defendant.

CASE NO. 1:19-CV-00826-NONE-BAM

ORDER

JUDGE: Hon. Barbara A. McAuliffe

15
16 The United States requests a modification to the scheduling order to extend the expert disclosure
17 deadline and supplemental expert disclosure deadline. Plaintiffs do not oppose the request.

18 The current expert disclosure deadline is March 1, 2021, with supplemental expert reports due to
19 be disclosed on March 31, 2021. *See* ECF 23 at 2. The United States proposes to move the expert
20 disclosure date to April 9, 2021, and the supplemental expert disclosure date to April 30, 2021, with all
21 other dates, including the close of expert discovery, remaining the same. As good cause, the United
22 States represents that its expert, Francisco Romero, has been deployed as part of a Forest Service
23 incident management team to assist the State of Idaho with its COVID-19 vaccination efforts and has
24 thereby been prevented from completing his review and expert report in this matter. Given the
25 importance of the nationwide vaccination efforts, this constitutes good cause to extend the deadline for
26 expert disclosure. No further delay in the overall schedule will be caused by the requested change
27 because the deadline for the close of expert discovery will remain the same.

1 Good cause appearing, the request is GRANTED. The current scheduling order is modified as
2 follows. Expert disclosure shall occur no later than April 9, 2021, with supplemental expert disclosure
3 by April 30, 2021. The expert discovery cutoff date shall remain on May 21, 2021, and the
4 jurisdictional phase pretrial motion filing deadline shall remain on June 18, 2021. All other terms of the
5 Court's prior orders (Doc Nos. 12, 16, 18, and 23) shall remain in effect.

6
7 IT IS SO ORDERED.

8 Dated: February 16, 2021

/s/ Barbara A. McAuliffe
9 UNITED STATES MAGISTRATE JUDGE