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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ALBERT ORTEGA,
Plaintiff,
v.
UNITED STATES OF AMERICA,
Defendant.

Case No. 1:19-cv-00999-JLT-EPG (PC)
ORDER APPROVING SECOND
STIPULATION REGARDING EXPERT
DISCOVERY
ORDER CONTINUING PRETRIAL
CONFERENCE
(ECF No. 87)

On January 13, 2023, the parties filed a second joint stipulation to modify the expert discovery deadlines. (ECF No. 87). Defense counsel has traveled to Federal Correctional Institution, Phoenix, to meet with Plaintiff, and has met with the expert contemplated in Plaintiff’s request for pre-approval of expenditures. (Id. at 1-2). “In order to account for the additional steps necessitated by the Court’s involvement in funding, and to account for difficulties that Plaintiff’s counsel have experienced with regard to communications with Plaintiff at his housing in the Bureau of Prisons, the deadlines contained in the Court’s previous order should be changed.” (Id. at 2).

Pursuant to the stipulation of the parties (ECF No. 87), and finding good causes exists, the dates and deadlines are modified as follows:

1. The deadline for all parties to serve their expert disclosures is **March 3, 2023**.

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- 2. Parties have until **April 3, 2023**, to serve their rebuttal expert disclosures.
- 3. The deadline for the completion of all expert discovery is **May 5, 2023**.
- 4. The parties have until **April 21, 2023**, to file motion(s) for the attendance of incarcerated witnesses. Opposition(s), if any, must be filed on or before **May 19, 2023**.
- 5. If Plaintiff wishes to have the Marshals Service serve any unincarcerated witnesses who refuse to testify voluntarily, Plaintiff must submit the money orders to the Court no later than **May 19, 2023**. In order to ensure timely submission of the money orders, Plaintiff must notify the Court of the names and locations of his or her witnesses, in compliance with the instructions in the amended second scheduling order (ECF No. 82, pgs. 4-5), no later than **April 21, 2023**.
- 6. The deadline for the parties to file their joint pretrial statement is **June 16, 2023**.
- 7. The pretrial conference is set for **June 26, 2023, at 1:30 p.m.**, in Courtroom 4, before District Judge Jennifer L. Thurston. The pretrial conference will be held via Zoom video conferencing. The parties are directed to contact Courtroom Deputy Irma Munoz (imunoz@caed.uscourts.gov) for the connection information.
- 8. All other terms and conditions of the Scheduling Orders remain in full force and effect.

IT IS SO ORDERED.

Dated: **January 17, 2023**

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE