

1 Seta Sarabekian, Esq., SBN 299578
 2 CLARK HILL LLP
 3 555 South Flower Street, 24th Floor Los Angeles, CA 90071
 4 Telephone: (213) 891-9100
 5 Facsimile: (213) 488-1178
 6 bhughes@ClarkHill.com ssarabekian@clarkhill.com
 7 Attorneys for Defendants MARTEN TRANSPORT LTD
 8 and JERRY WAYNE DUDLEY JR.
 9 OLIVIER A. TAILLIEU (SBN 206546)
 10 ot@bhattoorneys.com
 11 JENNIFER BAGOSY (SBN 223145)
 12 jby@bhattoorneys.com
 13 BD&J, PC
 14 9701 Wilshire Blvd., 12th Floor
 15 Beverly Hills, CA 90212
 16 Telephone: (310) 887-1818
 17 Facsimile: (310) 299-7592

18 **UNITED STATES DISTRICT COURT**
 19 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

20 JOSE ZEPEDA ALCARAZ, an individual;
 21 MARIBEL ALCALA DE PEREZ, an
 22 individual,

23 Plaintiff,

24 v.

25 MARTEN TRANSPORT LTD, a
 26 corporation; JERRY WAYNE DUDLEY
 27 JR, an individual; and DOES 1 to 25
 28 inclusive,

Defendant.

Case No. 1:23-CV-00615-JLT-SKO

STIPULATION AND ORDER TO MODIFY
 SCHEDULING ORDER

Assigned to: Hon. Jennifer L. Thurston

Magistrate Judge: Hon. Sheila K. Oberto

Complaint Filed: March 9, 2023

Trial: March 4, 2025

29 Pursuant to Rules 6(b) and 29(b) of the Federal Rules of Civil Procedure and Pursuant to
 30 Local Rule 143 Plaintiffs JOSE ZEPEDA ALCARAZ and MARIBEL ALCALA DE PEREZ
 31 (“Plaintiffs”) and Defendants MARTEN TRANSPORT LTD and JERRY WAYNE DUDLEY JR
 32 (“Defendants”) (collectively the “Parties”) hereby respectfully stipulate and request the Court
 33 amend the Scheduling Order (ECF No. 29) for good cause, and in support thereof would
 34 respectfully show the Court as follows:

1 On August 17, 2023, a Scheduling Conference was held; the Court set the following
2 deadlines pursuant to Federal Rule of Civil Procedure 16 and Civil Local Rule 240:

3 Non Expert Discovery: June 14, 2024

4 Expert Disclosures: August 1, 2024

5 Rebuttal Expert Disclosures: August 29, 2024

6 Expert Discovery: September 27, 2024

7 The Parties now seek to amend the aforementioned deadlines as follows:

8 Non Expert Discovery: August 16, 2024

9 Expert Disclosures: September 26, 2024

10 Rebuttal Expert Disclosures: October 24, 2024

11 Expert Discovery: November 22, 2024

12 Good cause exists to grant this joint stipulation and the Parties request this reset and
13 amendment to the Scheduling Order for the following reasons:

14 The parties have been diligently conducting written discovery and plan to take the
15 necessary fact depositions promptly. However, the scope and extent of Plaintiffs' alleged injuries
16 and the resulting damages necessitates extensive discovery. Specifically, Plaintiff Jose Zepeda
17 Alcaraz claims injuries to more than 10 body parts as a result of the crash in which his vehicle
18 went over an embankment, and he has received treatment for accident-related injuries with more
19 than 20 providers. Plaintiff Maribel Alcala de Perez also claims several discrete injuries and has
20 treated with nearly 20 providers. Both Plaintiffs claim the accident caused them to suffer
21 traumatic brain injuries. Plaintiffs are also investigating and pursuing the testimony of fact
22 witnesses to the incident, and cannot guarantee all will be subpoenaed and deposed within the
23 time prescribed.

24 Although the parties are making a concerted effort to complete all pending discovery, the
25 Parties anticipate that they will not be able to comply with the current fact and expert discovery
26 deadlines.

27 Moreover, the Parties have agreed to attend private mediation with Hon. Richard Stone,
28 Ret., however, the Parties must first complete the pending discovery before they can engage in

1 meaningful settlement discussions.

2 The brief continuance may aid the facilitation of settlement, it will not cause any prejudice
3 to the Parties or any third-party, and it is not requested for any improper purpose.

4

5 Dated: 5/8/2024

CLARK HILL LLP
By: /s/ Bradford G. Hughes
Bradford G. Hughes
Seta Sarabekian
Attorneys for Defendants MARTEN TRANSPORTS
LTD and JERRY WAYNE DUDLEY JR.

6

7

8

9 Dated: 5/8/2024

BD&J, PC
By: /s/ Jennifer Bagosy
Olivier Taillieu
Jennifer Bagosy
Attorneys for Plaintiffs JOSE ZEPEDA ALCARAZ
and MARIBEL ALCALA DE PEREZ

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

ORDER

Pursuant to the parties' foregoing stipulation (Doc. 30), and for good cause shown (*see* Fed. R. Civ. P. 16(b)(4)), the Scheduling Order (Doc. 25) is MODIFIED as follows:

	Previous Deadline	New Deadline
Non-Expert Discovery	June 14, 2024	August 16, 2024
Expert Disclosures	August 1, 2024	September 26, 2024
Rebuttal Expert Disclosures	August 29, 2024	October 24, 2024
Expert Discovery	September 27, 2024	November 22, 2024
Non-Dispositive Motion Deadline	Filing: October 4, 2024 Hearing: November 6, 2024	Filing: December 6, 2024 Hearing: January 15, 2025
Dispositive Motion Deadline	Filing: October 11, 2024 Hearing: November 15, 2024	Filing: December 13, 2024 Hearing: January 17, 2025
Deadline to Provide Proposed Settlement Conference Dates	December 4, 2024	February 12, 2025
Pre-Trial Conference	January 6, 2025	March 17, 2025
Trial	March 4, 2025	May 13, 2025

IT IS SO ORDERED.

Dated: May 9, 2024

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE