

McNAMARA, NEY, BEATTY, SLATTERY, BORGES & AMBACHER LLP
ATTORNEYS AT LAW
1211 NEWELL AVENUE, WALNUT CREEK, CA 94596
TELEPHONE: (925) 939-5330

1 JAMES V. FITZGERALD, III (State Bar No. 55632)
NOAH G. BLECHMAN (State Bar No. 197167)
2 PETRA BRUGGISSER (State Bar No. 241173)
McNAMARA, NEY, BEATTY, SLATTERY,
3 BORGES & AMBACHER LLP
1211 Newell Avenue
4 Walnut Creek, CA 94596
Telephone: (925) 939-5330
5 Facsimile: (925) 939-0203

6 Attorneys for Defendants (both cases)

7 ANDREW C. SCHWARTZ (State Bar No. 064578)
CASPER, MEADOWS, SCHWARTZ & COOK
8 A Professional Corporation
California Plaza
9 2121 North California Blvd., Suite 1020
Walnut Creek, CA 94596
10 Telephone: (925) 947-1147
11 Facsimile: (925) 947-1131

12 Attorneys for Plaintiff
ANDREW WASHINGTON, JR., a minor

13 JOHN L. BURRIS, Esq. (State Bar # 69888)
14 BENJAMIN NISENBAUM, Esq. (State Bar #222173)
LAW OFFICES OF JOHN L. BURRIS
15 7677 Oakport Street, Suite 1120
Oakland, CA 94621
16 Telephone: (510) 839-5200
Facsimile: (510) 839-3882

17 Attorneys for Plaintiff
18 LORI BAUER

19 UNITED STATES DISTRICT COURT
20 EASTERN DISTRICT OF CALIFORNIA

21
22 ANDREW WASHINGTON, JR., A
MINOR, INDIVIDUALLY IN HIS
23 PERSONAL CAPACITY AND AS
SUCCESSOR IN INTEREST OF
24 DECEDENT ANDREW WASHINGTON,
SR., BY AND THROUGH HIS
25 GUARDIAN AD LITEM, ALEJANDRA
RAYA,

26 Plaintiff,

27 vs.

28

John C. Burton (State Bar No.
86029)
LAW OFFICES OF JOHN
BURTON
Law 65 North Raymond Avenue,
Suite 300
Pasadena, CA 91103
Telephone: (626) 449-8300
Facsimile (626) 449-4417

Attorneys for Plaintiff
ANDREW WASHINGTON, JR.,
a minor

Mark E. Merin (State Bar No.
043849)
LAW OFFICES OF MARK E.
MERIN
1010 F Street, Suite 300
Sacramento, CA 95814
Telephone: (916) 443-6911
Facsimile: (916) 447-8336
E-Mail: mark@markmerin.com

Attorneys for Plaintiff
ANDREW WASHINGTON, JR.,
a minor

Case No. 05-CV-00881 JAM-DAD

**STIPULATION AND
ORDER TO MODIFY SCHEDULED
DATES IN CONSOLIDATED
CASES**

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TELEPHONE: (925) 939-5330

1 TASER INTERNATIONAL, INC.; CITY
OF VALLEJO; et al., ,
2
3 Defendants.
4 LORI BAUER, INDIVIDUALLY, AND
AS PERSONAL REPRESENTATIVE OF
5 THE ESTATE OF ANDREW
WASHINGTON,
6
7 Plaintiff,
8 vs.
9 CITY OF VALLEJO, A MUNICIPAL
CORPORATION, et al.,
10 Defendants.
11

Case No. 06-CV-00549 JAM-DAD

12 IT IS HEREBY STIPULATED AND AGREED, by and between the parties to this action,
13 through their respective counsel of record, as follows:

14 WHEREAS these two cases are now consolidated for all purposes in front of Your Honor
15 via Stipulation and Order, e-filed April 2, 2013 (Document 89).

16 WHEREAS lead counsel for all parties recently met and conferred to discuss the schedule
17 currently in effect in this matter, a schedule issued in the Washington case, filed as the STATUS
18 (Pre-trial Scheduling) ORDER, e-filed October 12, 2012 (Document 74).

19 WHEREAS the parties have agreed to modify the currently set schedule, including the
20 trial date, with approval from the Court, based upon good cause due to the fact that there is now a
21 new Plaintiff involved in this Washington case (Ms. Bauer), the Vallejo Defendants did not have
22 the opportunity to conduct any substantive discovery in the Washington matter due to the prior
23 stay (from the Bankruptcy) and the fact that they were brought into the Washington case late in
24 the litigation; the topography of this case has changed now that original Defendant in the
25 Washington case, Taser International, Inc., has now been dismissed with prejudice; in addition,
26 the law regarding the use of tasers has changed significantly since this incident in 2004. Based
27 upon these and other issues, the parties seek to modify the currently scheduled dates in this case
28 as follows:

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ORDER (as modified by the Court)

Good cause having been shown by the parties, the Court hereby orders that the currently set deadlines issued in the Washington case are hereby modified as follows in these consolidated cases:

<u>Description</u>	<u>Current Deadline</u>	<u>New Deadline</u>
Initial/Suppl. Disclosures	No outstanding deadline	July 12, 2013
Expert Witness Disclosure	May 3, 2013	December 2, 2013
Supplemental/Rebuttal Disclosure	June 7, 2013	January 6, 2014
Joint Mid-Litigation Statement Due (14 days prior to disc. close)	July 5, 2013	March 14, 2014
All Discovery Closes	July 19, 2013	March 28, 2014
Deadline to file MSJ	August 28, 2013	May 7, 2014
Hearing on MSJ	September 25, 2013	June 4, 2014 at 9:30 a.m.
Final Pretrial Conference	November 8, 2013	July 18, 2014 at 11:00 a.m.
Trial	February 3, 2014	Sept. 8, 2014 at 9:00 a.m.

All deadlines and other requirements indicated in the STATUS (Pre-trial Scheduling) ORDER, e-filed October 12, 2012 (Document 74), remain in effect, based upon these newly issued dates and deadlines.

IT IS SO ORDERED.

Dated: May 1, 2013

/s/ John A. Mendez
Honorable John A. Mendez
United States District Court Judge