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9 UNITED STATES DISTRICT COURT  
 10 FOR THE EASTERN DISTRICT OF CALIFORNIA

11 **JUAN CARLOS VALADEZ LOPEZ,** )

12 Plaintiff, )

13 v. )

14 Case No. 2:07-cv-01566-LEW

15 **ORDER EXTENDING DEADLINE FOR**  
 16 **EXPERT DISCOVERY**

17 **MICHAEL CHERTOFF, ET AL.,** )

18 Defendants. )

19 Plaintiff Juan Carlos Valadez Lopez and Defendant Yakov Grinberg stipulate that  
 20 Defendant Grinberg shall produce any rebuttal expert report within 18 days after the court issues  
 21 a ruling on Defendant Grinberg’s pending motion for summary judgment (Doc. No. 155) and  
 22 that the parties shall complete depositions of expert witnesses within 21 days after Defendant  
 23 serves his expert rebuttal report. The following is offered in support of this stipulation:

- 24 1. On August 6, 2009, the Court issued an order denying Defendant Grinberg’s motion  
 25 to strike Plaintiff’s expert reports, but allowing Defendant an additional 30 days to  
 26 disclose rebuttal expert reports. *See* Doc. No. 162.  
 27

- 1 2. Because Plaintiff's expert reports relating to Defendant Grinberg concern only  
2 Plaintiff's alleged damages, the reports do not impact Defendant Grinberg's pending  
3 motion for summary judgment. Accordingly, the parties believe that judicial  
4 economy will be best served by deferring any further expert discovery until after the  
5 Court rules on Defendant Grinberg's motion for summary judgment, which is set for  
6 hearing on September 11, 2009.
- 7
- 8 3. Defendant Grinberg also believes that any further discovery at this point in the  
9 litigation would be inappropriate because he has asserted qualified immunity in his  
10 pending motion for summary judgment. *See Ashcroft v. Iqbal*, 129 S. Ct. 1937, 1953  
11 (2009) ("The basic thrust of the qualified-immunity doctrine is to free officials from  
12 the concerns of litigation, including avoidance of disruptive discovery") (quotations  
13 omitted).
- 14
- 15 4. To ensure that the current schedule for the pretrial conference and jury trial dates are  
16 not affected, Defendant Grinberg will serve his expert rebuttal report within 18 days  
17 after the court issues a ruling on his motion for summary judgment, and the parties  
18 will complete any depositions of expert witnesses within 21 days after that date.  
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21 **IT IS SO ORDERED.**

22  
23 Date: August 18, 2009

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Honorable Ronald S. W. Lew  
Senior, U.S. District Court Judge