1	LATHAM & WATKINS LLP	
2	James L. Day (Bar No. 197158) Brian D. Berry (Bar No. 229893)	
3	Brendan K. Kelleher (Bar No. 275883) 505 Montgomery Street, Suite 2000	
4	San Francisco, California 94111-6538 Telephone: +1.415.391.0600	
5	Facsimile: +1.415.395.8095 Email: jim.day@lw.com	
6	Email: brian.berry@lw.com Email: brendan.kelleher@lw.com	
7	Attorneys for Plaintiff Levon Graham	
8	Additional Counsel On Signature Block	
9		
10	UNITED STATE:	S DISTRICT COURT
11	EASTERN DISTRICT OF CALIFORNIA	
12	SACRAMENTO DIVISION JUDICIAL DISTRICT	
13		
14	LEVON GRAHAM,	CASE NO. CIV S-07-2291 GGH P
15	Plaintiff,	STIPULATION, REQUEST TO MODIFY
16	v.	THE SCHEDULING ORDER, AND [PROPOSED] ORDER EXTENDING
17	D. L. RUNNELS, ET AL.,	DISCOVERY DEADLINE AND DEFENDANTS' DEADLINE FOR FILING
18	Defendants.	DISPOSITIVE MOTION
19		Complaint Filed: October 26, 2007 Trial Date: None
20		ı
21		
22		
23		
24		
25		
26		
27		
28		

1	STIPULATION AND REQUEST	TO MODIFY THE SCHEDULING ORDER	
2	A scheduling order may be modified upon a showing of good cause. Fed. R. Civ. P.		
3	16(b). Good cause exists when the deadline cannot be met despite due diligence. <i>Johnson v</i> .		
4	Mammoth Recreations, Inc., 975 F.2d 604	, 609 (9th Cir. 1992).	
5	WHEREAS the Court, in its June 13, 2011 Order, set the discovery deadline for October		
6	3, 2011 and the deadline for Defendants to file and/or re-notice any dispositive motion for		
7	October 17, 2011;		
8	WHEREAS the parties have complete	leted three of the six depositions that the Court ordered	
9	on June 13 but face scheduling conflicts that will prevent them from scheduling the remaining		
10	three depositions on or before the current discovery deadline;		
11	THEREFORE, the parties, through their respective counsel of record, hereby agree and		
12	STIPULATE that:		
13	1. The discovery deadline shall be extended until November 9, 2011; and		
14	2. The deadline for defendants to file and/or re-notice any dispositive motion be		
15	extended until November 23, 2011.		
16	Dated: September 1, 2011	LATHAM & WATKINS LLP	
17			
18		By /s/	
19		Brendan K. Kelleher Attorneys for Plaintiff Levon Graham	
20		Interneys for I taining Leven Granum	
21	Dated: September 1, 2011	KAMALA D. HARRIS Attorney General of California	
22		TRACY S. HENDRICKSON	
23		Supervising Deputy Attorney General	
24			
25		By	
26		Deputy Attorney General Attorneys for Defendants Kopec and Martin	
27		•	
28			

1	<u>ORDER</u>		
2	The discovery deadline currently scheduled for October 3, 2011, is hereby		
3	continued to November 9, 2011. The deadline for Defendants to file and/or re-notice any		
4	dispositive motion currently scheduled for October 17, 2011, is hereby continued to November		
5	23, 2011.		
6	IT IS SO ORDERED.		
7	Dated: September 12, 2011	/s/ Gregory G. Hollows	
8		Honorable Gregory G. Hollows	
9	Grah2291stp		
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28	SF\873266.2	1	