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 ROBERT ST. JOVITE; GERARD CHARLES ST. JOVITE and NICOLE ST. JOVITE

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14 Attorneys for Defendants
 15 Alcaraz, Cahoon, California Department of Corrections and Rehabilitation, Carey, Chua,
 Dusay, Hak, Hicks, Holliday, LaBonte, Martinez, Nuehring, Noriega, Orrick,
 16 Schwarzenegger, Sisto, Soliz, Tilton, Traquina, Wade, and Wong

17 IN THE UNITED STATES DISTRICT COURT
 18 EASTERN DISTRICT OF CALIFORNIA
 SACRAMENTO DIVISION

19 SHERIE LEMIRE individually and) Case No. 2:08-CV-00455-GEB-EFB
 20 as personal representative for the ESTATE OF)
 21 ROBERT ST. JOVITE; GERARD CHARLES) STIPULATION AND [PROPOSED]
 ST. JOVITE and NICOLE ST. JOVITE) ORDER TO EXTEND DATE FOR
 22) EXPERT DISCLOSURE

23 Plaintiffs,
 24 vs.

25 ARNOLD SCHWARZENEGGER, et al.
 26 Defendants.

27 _____)

28 Lemire v. Schwarzenegger Case No. 2:08-CV-00455-GEB-EFB
 STIPULATION AND [PROPOSED] ORDER TO EXTEND DATE FOR EXP. DISC.

1 Pursuant to Local Rule 83-143 the parties stipulate as follows:

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3 Plaintiffs amended their complaint on January 1, 2009, pursuant to stipulation of the
4 parties. Defendants answered the second amended complaint on April 16, 2009. Since
5 that time, the parties exchanged and responded to written discovery, and have been
6 involved in numerous meet-and-confer conferences to informally address and resolve the
7 discovery and other pleading issues and disputes.
8

9 Despite their diligent and reasonable efforts, the parties have not been able to
10 complete the discovery necessary to exchange expert witness information. Defense
11 counsel has been in trial for most of the past four months, and Plaintiffs' counsel was out
12 of the country during the month of August. As a result, the parties agree that they will not
13 be able to complete the bulk of the fact discovery necessary for meaningful expert
14 disclosures until mid to late January 2010. The parties further agree to stipulate to the
15 continuance of the deadline for expert disclosures, which is presently set for November 6,
16 2009, based on this Court's Order of September 8, 2008. (CR 33.) Accordingly, it is
17 requested that the Court continue the date for expert disclosures to February 8, 2010, and
18 the date for any rebuttal expert disclosure to March 8, 2010. These extensions will not
19 necessitate the change of any of the other dates presently set, but will allow the parties to
20 complete the fact discovery prior to the expert disclosures.
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25 Consequently, the parties respectfully request that this court continue the date for
26 expert disclosures from November 6, 2009 to February 8, 2010, and the date for exchange
27 of any rebuttal expert witness from December 7, 2009 to March 8, 2010.
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1 IT IS SO STIPULATED.

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3 Dated: October 8, 2009

Respectfully submitted,

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5 LAW OFFICES OF GERI LYNN GREEN_{LC}

6 By: /S/

7 Geri Lynn Green (State Bar No. 127709)
8 Attorneys for Plaintiffs

9 Dated: October 8, 2009

OFFICE OF THE ATTORNEY GENERAL

10
11 By: /S/

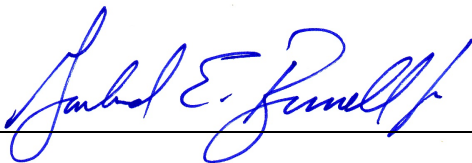
12 Attorneys for Defendants

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14
15 **Order**

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17 The date set for expert disclosures is hereby continued from November 6, 2009 to
18 February 8, 2010, and the date set for the disclosure of rebuttal expert witnesses is
19 continued from December 7, 2009 to March 8, 2010.

20 IT IS SO ORDERED.

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22 Dated: October 13, 2009

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25 GARLAND E. BURRELL, JR.
26 United States District Judge

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Lemire v. Schwarzenegger Case No. 2:08-CV-00455-GEB-EFB
STIPULATION AND [PROPOSED] ORDER TO EXTEND DATE FOR EXP. DISC.