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Attorneys for  
 5 Defendants County of Tehama et al.

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 8 **UNITED STATES DISTRICT COURT**  
 9 **EASTERN DISTRICT OF CALIFORNIA**

10  
 11 7/11 MATERIALS, INC., a California  
 Corporation and BASIC RESOURCES, INC.,  
 12 a California Corporation,

13 Plaintiffs,

14 v.

15 COUNTY OF TEHAMA, TEHAMA  
 COUNTY PLANNING COMMISSION,  
 16 TEHAMA COUNTY BOARD OF  
 SUPERVISORS, JOHN STOUFER, et al.,  
 17

Defendants.  
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CASE NO. 2-08-CV-01373-MCE-EFB

**STIPULATION TO EXTEND  
 DISCOVERY DEADLINES IN PRE-  
 TRIAL SCHEDULING ORDER; ORDER  
 THEREON**

19 Plaintiff, 7-11 Materials, Inc. and Basic Resources, Inc. here (collectively "Plaintiffs") by  
 20 and through their attorneys, defendants County of Tehama, Tehama County Planning  
 21 Commission, Tehama County Board of Supervisors, John Stoufer and George Robson  
 22 (collectively "Defendants") by and through their attorneys hereby stipulate to seek court approval  
 23 for the following:

24 **STIPULATION**

25 In the last stipulation entered into between the parties, the attorney for Plaintiffs, Stewart  
 26 C. Altemus, had been diagnosed with tonsil cancer and had begun intensive chemotherapy and  
 27 radiation treatments. Mr. Altemus' physician had advised him that he would be unable to work  
 28 through at least mid-June of 2011 as a result of his illness and chemotherapy and radiation

1 treatments. As a result, this court approved a stipulated extension of the deadlines contained  
2 within the scheduling order such that all non-expert discovery was to be completed by July 15,  
3 2011, expert witness disclosures to be completed by August 26, 2011, dispositive motion to be  
4 filed no later than July 2, 2011.

5         Since the previous stipulation, Mr. Altemus' recovery has not gone as quickly as expected.  
6 Mr. Altemus has only just now been able to return to work on a limited part-time and limited  
7 basis. However, Mr. Altemus feels that over the next couple of weeks, he will be able take on an  
8 increasing work load. Because of the fact that dispositive motions are due this Friday, and there  
9 remain only two weeks left to complete non-expert witness discovery, which they have been  
10 unable to completed in light of Mr. Altemus' illness, the parties have agreed to a brief additional  
11 extension of time to accommodate Mr. Altemus' recovery.

12         Therefore, the parties request that the scheduling order be modified as follows:

- 13         1. Dispositive motions to be filed no later than July 15, 2011.
- 14         2. All non-expert discovery to be completed by August 15, 2011.
- 15         3. Expert witness disclosures to be completed by September 26, 2011.

16 DATED: June 28, 2011

MEYERS, NAVE, RIBACK, SILVER & WILSON

19 By:           /s/ J. Scott Smith          

J. Scott Smith

Attorneys for Defendants

22           /s/ Stewart C. Altemus          

23 Stewart C. Altemus

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**ORDER**

For good cause and pursuant to the above Stipulation of the parties,  
IT IS HEREBY ORDERED as follows:

1. Dispositive motions to be filed no later than July 15, 2011.
2. All non-expert discovery to be completed by August 15, 2011.
3. Expert witness disclosures to be completed by September 26, 2011.

All other dates and/or deadlines contained in the December 22, 2009 Amended Pretrial Scheduling Order shall remain in effect, including the December 1, 2011 Final Pretrial Conference and the January 23, 2012 trial date.

DATE: June 28, 2011



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MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE