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

10 DRAKE S. JONES,
 11 Plaintiff,

NO. 2:09-CV-01025-WBS-DAD

12 vs.

**APPLICATION AND [PROPOSED]
 ORDER TO MODIFY PRETRIAL
 SCHEDULING ORDER**

13 COUNTY OF SACRAMENTO; JOHN
 14 MCGINNESS, individually and in his official
 15 capacity as Sheriff of the Sacramento County
 Sheriff's Department; Sacramento County Main
 16 Jail Commander ERIC MANESS; Sacramento
 County Sheriff's Department Chief of
 17 Correctional and Court Services JAMIE
 18 LEWIS; Sacramento Sheriff's Department
 Deputy CHRIS CONRAD (Badge #1202); and
 19 DOES 1 to 20,

20 Defendants.

21 _____/

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23 COME NOW THE PARTIES by and through their respective attorneys and subject to the
 24 approval of this Court, hereby agree to and respectfully request the proposed modifications
 25 and/or amendments to the expert disclosure dates described below. These proposed
 26 modifications would not affect any other deadlines in this case. The cut-off date for all
 27 discovery would remain April 2, 2010. Accordingly there would be no change as to the cut-
 28 off dates set for dispositive motions and the trial. The parties contend there is good cause

1 for this request because the parties have been unable to contact expert witnesses employed
2 in academia over the holiday season and there has been some delay in the exchange of
3 information required for experts to form their opinions.

4 The proposed modifications are as follows:

5 • That the expert witness disclosure cut-off date set for January 15, 2010, be
6 moved to February 15, 2010.

7 • That the rebuttal expert witness discovery cut-off date set for February 19,
8 2010, be moved to March 1, 2010.

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10 Dated: January 4, 2010


/s/Stewart Katz
STEWART KATZ
Attorney for Plaintiff

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12 Dated: January 4, 2010

/s/Jeri L. Pappone
JERI L. PAPPONE
Attorney for Defendants

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16 **IT IS SO ORDERED:**

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18 Dated: January 4, 2010

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20 WILLIAM B. SHUBB
21 UNITED STATES DISTRICT JUDGE
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