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21 **C.O. MARTEN AND CAPTAIN JERRY JONES**

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28 Attorneys for Defendant
CALIFORNIA FORENSIC MEDICAL GROUP, INC.

**STIPULATION TO
CONTINUE TRIAL DATE
CV-09-02257-MCE-DAD P**

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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GRANT S. PARKISON, JR., and Roes 1-10

Plaintiffs,

v.

BUTTE COUNTY SHERIFF'S DEPT.,
CORRECTIONAL OFFICER MARTEN,
CAPTAIN JERRY JONES, and DOES 1
through 20,

Defendants.

CASE NO. 2:09-cv-02257 MCE DAD P

STIPULATION AND ORDER TO MODIFY
ORDER CONTINUING TRIAL

Trial Date: March 18, 2013

Time: 9:00 a.m.

Judge: Hon. Morrison C. England, Jr.

Plaintiff Grant S. Parkison, Defendants Butte County Sheriff's Department, Correctional Officer Martin, Captain Jerry Jones (County Defendants) and California Forensic Medical Group, Inc. (CFMG) hereby stipulate and request that the Court modify the Order Continuing Trial (Docket No. 71) filed on October 3, 2012, due to the fact that counsel for plaintiff and counsel for the County Defendants have another trial scheduled to commence the same day before this Court. Counsel for defendant CFMG is willing to accommodate this request. This stipulation is filed pursuant to Federal Rule of Civil Procedure Rule 16(b)(4), Local Rules 143 and 144, on good cause as explained herein. No previous requests for modification of the scheduling order or for extensions of time have been made in this matter. The parties propose that trial be postponed to May 2013 or later, and that the pre-trial conference be continued to occur approximately thirty days before the continued trial date.

Both plaintiff counsel Ellen Dove and defense counsel Michael R. Deems represent plaintiffs and defendants respectively in a lawsuit pending before this Court, *Donald Nelson, et al. v. Butte County Sheriff's Dept., et al.*, Case No. 2:09-CV-02776 JAM EFB P. On August 7, 2012, Honorable Magistrate Judge Edmund F. Brennan scheduled the *Nelson v. Butte County Sheriff's Dept.* matter for trial to commence at 9:00 a.m. on March 18, 2013.

Ms. Dove also represents plaintiff Grant S. Parkison and Mr. Deems represents the County Defendants in the above captioned case. On October 3, 2012, an Order setting trial was filed in this matter, setting trial to begin March 18, 2013, before this Court. Therefore, there is good cause to

1 move the trial date in this matter so that Ms. Dove and Mr. Deems can be available for trial in both
2 cases.

3 Plaintiff's attorney Ellen Dove also is plaintiff counsel in Sacramento County Superior Court
4 case, *Fowler v. City of Citrus Heights* which is scheduled to commence trial on March 12, 2013.

5 Based on the foregoing, both plaintiff and the County Defendants respectfully request that
6 the Court continue the trial date in this matter, as well as all deadlines related to the trial date.

7 Dated: November 30, 2012

LAW OFFICE OF ELLEN DOVE

8
9 By: /s/ Ellen C. Dove

10 ELLEN C. DOVE
11 Attorney for Plaintiff
12 (as authorized November 9, 2012)

13 Dated: November 30, 2012

DEEMS & KELLER, LLP

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15 By: /s/ Michael R. Deems

16 MICHAEL R. DEEMS
17 Attorneys for County Defendants

18 Dated: November 30, 2012

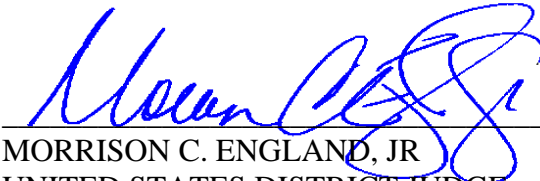
TRIMBLE, SHERINIAN & VARANINI

19
20 By: /s/ Jerome M. Varanini

21 JEROME M. VARANINI
22 Attorney for Defendant California
23 Forensic Medical Group, Inc.
(as authorized November 16, 2012)

24 **IT IS SO ORDERED.**

25 Dated: November 30, 2012

26 
27 MORRISON C. ENGLAND, JR.
28 UNITED STATES DISTRICT JUDGE