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4	Telephone: (530) 752-5440 Fax: (530) 752-5788		
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6	Attorney for Plaintiff		
7	Javiad Akhtar		
8	UNITED STATES DISTRICT COURT		
9	EASTERN DISTRICT OF CALIFORNIA		
10			
11	Javiad Akhtar,	No. 2:09-cv-2733-MCE-AC	
12	Plaintiff,) STIPULATION AND [PROPOSED]	
13	v.	REVISED SCHEDULING ORDER	
14)	
15	J. Mesa, et al.,))	
16	Defendants.		
17)	
18))	
19			
20	Pursuant to Local Rule 143 the parties ask the Court to revise the scheduling order by		
21	postponing the deadline for joinder of additional parties for 21 days, from January 27, 2014, to		
22	February 17, 2014.		
23	A scheduling order may be modified upon a showing of good cause. Good cause exists		
24	when the moving party demonstrates that it cannot meet the schedule despite exercising due		
25	diligence. <i>Johnson v. Mammoth Recreations, Inc.</i> , 975 F.2d 604, 609 (9th Cir. 1992).		
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	STIPULATION AND PROPOSED ORDER 2:09-cv-02733-MCE-AC		

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Despite the exercise of due diligence, the Plaintiff requires a short extension of time to determine whether additional parties should be joined.

The parties have exchanged initial disclosures and the plaintiff has taken four depositions. Key documentation regarding Plaintiff's initial assignment to dormitory housing has not been located, apparently due to the passage of time before discovery could commence in this action. Plaintiff plans to take three additional depositions before the new deadline for joinder of parties. The plaintiff is represented by the UC Davis Civil Rights Clinic and the assigned certified law students were not available during December 2013 and early January 2014 due to the academic calendar. Furthermore, opposing counsel was away on medical leave in early January, delaying communication regarding upcoming discovery plans. For these reasons, the plaintiff needs additional time to conduct fact discovery by taking additional deposition testimony of potential defendants and non-party witnesses.

The parties respectfully ask that this Stipulation be entered as an order of the Court.

Respectfully submitted,

/S/ Carter C. White

Dated: January 24, 2014	
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Carter C. White Supervising Attorney Charlie Chin Jaewon Lee Certified Law Students

Counsel for Plaintiff, Javiad Akhtar

/S/ Diana Esquivel

Dated: January 24, 2014

Diana Esquivel Deputy Attorney General

Counsel for Defendants J. Mesa, S. Turner, C. Ward, L. Ward, Jr., and R. Ward

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1	IT IS SO ORDERED:		
2	The deadline for joinder of parties is extended to February 17, 2014.		
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4	Date: January 27, 2014 Mussin Clane		
5	ALLISON CLAIRE		
6	UNITED STATES MAGISTRATE JUDGE		
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20	STIPULATION AND PROPOSED ORDER <u>2:09-cv-02733-MCE-AC</u>		