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7 COLLEGE DISTRICT and DANIELE RULEY

8 **UNITED STATES DISTRICT COURT**

9 **EASTERN DISTRICT**

10 **SHIRLEY A. NEWMAN and ANTHONY C. ) Case No. 2:09-CV-03441-WBS-KJN**  
11 **BUTLER, )**

12 **Plaintiffs, )**

13 **vs. )**

14 **SAN JOAQUIN DELTA COMMUNITY )**  
15 **COLLEGE DISTRICT, a public entity; )**  
16 **DANIELE RULEY, JAMES WOOD, and )**  
17 **DOES 1 through 100, inclusive, )**

18 **Defendants. )**

**) STIPULATION TO AMEND PRE-TRIAL**  
**) SCHEDULING ORDER TO EXTEND**  
**) TIME FOR COMPLETION OF**  
**) DISCOVERY AND DISCOVERY**  
**) MOTIONS; ORDER**

18 The parties to the above-entitled action, by and between their respective attorneys of  
19 record, hereby stipulate as follows:

20 1. The Status (Pre-Trial Scheduling) Order entered May 13, 2010, as amended by  
21 Stipulation and Order entered December 27, 2010, provides for a discovery cut-off of June 28,  
22 2011, by which time all discovery must be completed, as the term completed is defined in the  
23 original Order.

24 2. The parties timely disclosed expert witnesses on April 29, 2011, and expert  
25 discovery has commenced. As of June 9, 2011, twelve (12) experts' depositions had been  
26 completed, and eight (8) were scheduled and noticed. Also as of June 9, 2011, defendant San  
27 Joaquin Delta Community College District's (District) Motion For Protective Order as to records  
28

1 subpoenaed by plaintiffs from Lodi Unified School District was, and currently is, set for hearing  
2 June 23, 2011.

3 3. On June 9, 2011, the parties agreed to mediate this matter. The Honorable Robert  
4 Dossee, retired, has been chosen as mediator, and mediation has been scheduled for June 27,  
5 2011. To allow time for the parties to prepare for the mediation and to save time and money on  
6 both sides, the remaining experts' depositions were suspended, to be re-scheduled in the event  
7 mediation is unsuccessful in resolving the case.

8 4. The parties therefore agree to extend the discovery cut-off, as defined in the  
9 original Status (Pre-Trial Scheduling) Order entered May 13, 2010, from June 28, 2011, to July  
10 15, 2011, with all other dates set forth in the amended Order entered December 27, 2010,  
11 remaining unchanged.

12 5. The parties further agree to continue the hearing on District's Motion For  
13 Protective Order, currently scheduled at 10:00 a.m. on June 23, 2011, in Courtroom 25, to 10:00  
14 a.m. on July 7, 2011, with the date for filing the Joint Statement required by Local Rule 251  
15 extended to June 30, 2011.

16 DATED: June 16, 2011

17 RYALS & BREED, P.C.

18  
19 By /s/ Stephen M. Ryals

20 STEPHEN M. RYALS, Attorney for Plaintiffs  
21 SHIRLEY A. NEWMAN and ANTHONY C.  
22 BUTLER

23 DATED: June 16, 2011

24 MAYALL, HURLEY, KNUTSEN, SMITH & GREEN

25 By /s/ J. Anthony Abbott

26 J. ANTHONY ABBOTT, Attorney for Defendants  
27 SAN JOAQUIN DELTA COMMUNITY  
28 COLLEGE DISTRICT and DANIELE RULEY

1 DATED: June 16, 2011

2 MASTAGNI, HOLSTEDT, AMICK, MILLER &  
3 JOHNSEN

4 By /s/ James B. Carr  
5 JAMES B. CARR, Attorney for Defendant  
6 JAMES WOOD


7 **ORDER**

8 The stipulation of the parties having been considered, and good cause appearing therefor,  
9 IT IS ORDERED that the date for "completion" of discovery in this matter, as defined in  
10 the court's original scheduling order, is hereby extended from June 28, 2011 to July 15, 2011.

11 IT IS FURTHER ORDERED that all other dates established by the amended Scheduling  
12 Order entered December 27, 2010, shall remain unchanged.

13 IT IS FURTHER ORDERED that the hearing on defendant SAN JOAQUIN DELTA  
14 COMMUNITY COLLEGE DISTRICT's Motion For Protective Order and for Monetary  
15 Sanctions currently scheduled for hearing at 10:00 a.m. on June 23, 2011, in Courtroom 25 is  
16 hereby continued to 10:00 a.m. on July 7, 2011, in Courtroom 25. The Joint Statement required  
17 by Local Rule 251 shall be filed no later than June 30, 2011, at 5:00 p.m.

18 DATED: June 17, 2011

19   
20 KENDALL J. NEWMAN  
21 UNITED STATES MAGISTRATE JUDGE