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5 KIM NIEMER and MATTHEW MCCALLUM

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7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10 MARY HARRIS,

Case No. 2:10-CV-00487-JAM-CMK

11 Plaintiff,

**AMENDED STIPULATION AND REQUEST
TO MODIFY SCHEDULING ORDER,
DOCUMENT 15, DATED OCTOBER 29,
2010, UNITED STATES MAGISTRATE
JUDGE, CRAIG KELLISON AND ORDER**

12 vs.

13 CITY OF REDDING CALIFORNIA, KIM
NIEMER, MATTHEW MCCALLUM and
14 DOES 1 through 20,

15 Defendants.

16 _____/

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18 The parties are unable to complete discovery on or before the
19 discovery cutoff date of October 15, 2011. The reason for the
20 inability is that plaintiff's deposition was scheduled for October 3,
21 2011, and was vacated because plaintiff was suffering from a medical
22 condition that prevented her from completing her deposition. The
23 deposition will, if possible, be rescheduled before October 15, but
24 the parties anticipate that the delay will leave insufficient time to
25 complete other pertinent non-expert discovery depositions following
26 plaintiff's deposition. Plaintiff's deposition was delayed to October
27 3, because plaintiff was unable to complete written discovery when due
28 in August 2011. As a result, an extension of time was provided for

1 written discovery which delayed plaintiff's deposition to October 3.

2 As a result of these delays, the parties respectfully request and
3 stipulate that the Court extend the time to conduct discovery from
4 October 15, 2011, to December 1, 2011. The parties likewise request
5 that the time for dispositive motions be filed on January 25, 2012 for
6 hearing on February 22, 2012 at 9:30 a.m. in Courtroom #6, that the
7 Joint Pretrial Statement shall be filed on or before April 6, 2012,
8 that the Pretrial Conference be moved to April 13, 2012 at 11:00 a.m.,
9 and that jury trial be moved to June 18, 2012 at 9:00 a.m..

10 DATED: October 19, 2011. Respectfully submitted,

11 BRICKWOOD LAW OFFICE

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13 /s/ Gary Brickwood
14 GARY BRICKWOOD
15 Attorney for CITY OF REDDING,
16 KIM NIEMER and MATTHEW MCCALLUM

17 DATED: October 21, 2011. /s/ O'Neil G. Dennis
18 O'NEIL G. DENNIS
19 Attorney for Plaintiff

20 **ORDER**

21 Having reviewed the Stipulation and Joint Request for
22 Modification of the Pretrial Scheduling Order, the Court orders the
23 following modifications:

- 24 Discovery cutoff - December 1, 2011
- 25 Dispositive Motion cutoff - to be filed on or before January 25,
26 2012 for hearing on February 22, 2012 at 9:30 a.m. in Courtroom #6
- 27 Joint Pretrial Statement - to be filed on or before April 6, 2012
- 28 Final Pretrial Conference - April 13, 2012 at 11:00 a.m.

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Trial - June 18, 2012 at 9:00 a.m.

IT IS SO ORDERED.

DATED: 10/21/2011 _____

/s/ John A. Mendez
THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT JUDGE