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 12 BRENDA KEGEBEIN

13 UNITED STATES DISTRICT COURT  
 14 EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION

16 BRENDA KEGEBEIN  
 Plaintiff,  
 17  
 18 vs.  
 19 SAFEWAY INC., a corporation; and  
 DOES 1 THROUGH 50, inclusive.  
 20 Defendants.  
 21

CASE NO. 2:10-cv-1166-JAM-KJN

**ORDER MODIFYING STATUS (PRE-TRIAL SCHEDULING) ORDER RE EXPERT DISCLOSURE AND EXPERT DISCOVERY**

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 23 Based on the parties' stipulation, and good cause appearing, the following will  
 24 modify and augment the Court's July 30, 2010 STATUS (Pre-trial Scheduling) ORDER.  
 25 Except as expressly modified or augmented, the July 30, 2010 STATUS (Pre-trial Scheduling)  
 26 ORDER, including the deadlines set forth therein, remains in full effect.

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1 DISCLOSURE OF EXPERT WITNESSES

2 The parties shall make expert witness disclosures under Fed. R. Civ. P. 26(a)(2) by  
3 **March 23, 2011**. Supplemental disclosure and disclosure of any rebuttal experts under Fed. R.  
4 26(a)(2)(c) shall be made by **April 6, 2011**.

5 Failure of a party to comply with the disclosure schedule as set forth above in all  
6 likelihood will preclude that party from calling the expert witness at the time of trial absent a  
7 showing that the necessity for the witness could not have been reasonably anticipated at the  
8 time the disclosures were ordered and that the failure to make timely disclosure did not  
9 prejudice any other party. See Fed. R. Civ. P. 37(c).

10 EXPERT DISCOVERY

11 All expert discovery shall be completed by **May 31, 2011**. In this context, “completed”  
12 means that all expert discovery shall have been conducted so that all expert depositions have  
13 been taken and any disputes relative to expert discovery shall have been resolved by  
14 appropriate order if necessary and, where expert discovery has been ordered, the order has been  
15 complied with.

16 IT IS SO ORDERED.

17 Dated: December 22, 2010

18  
19 /s/ John A. Mendez

20 JOHN A. MENDEZ  
21 UNITED STATES DISTRICT COURT JUDGE  
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