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9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA
11 SACRAMENTO DIVISION

12 RONNIE E. BARRON,

13 Plaintiff,

14 v.

15 M. MARTEL, *et al.*,

16 Defendants.
17

Case No. 2:10-cv-01567-WBS-DAD

**JOINT STIPULATION AND [PROPOSED]
ORDER TO CONTINUE FINAL PRETRIAL
CONFERENCE, TRIAL DATE, AND SET
EXPERT DEADLINES**

Trial Date: August 11, 2015

Time: 9:00 a.m.

Courtroom: 5, 14th Floor

Judge: Honorable William B. Shubb

Pretrial Conference: June 8, 2015

Time: 2:00 p.m.

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20 The parties, by and through their attorneys of record, seek to modify the Court's January 28,
21 2015 Order (Dkt. 74), to continue the pretrial conference and trial dates. Trial is currently scheduled
22 to start on August 11, 2015, and the Pretrial Conference is scheduled for June 8, 2015.

23 On April 30, 2015, Plaintiff filed a motion to re-open discovery and to continue the final
24 pretrial conference and trial date for 120 days to complete discovery and prepare for trial. Dkt 75.
25 On May 1, 2015, the Court referred Plaintiff's motion to re-open discovery to Magistrate Judge Dale
26 A. Drozd and deferred ruling on Plaintiff's request to continue the trial date pending the magistrate
27 judge's ruling on request for additional discovery. Dkt 76. Plaintiff's motion is currently set for
28 hearing before Magistrate Judge Drozd on June 1, 2015.

1 The parties have further met and conferred regarding the issues raised in Plaintiff's motion
2 and have stipulated to the issues on which this Court deferred ruling, including Plaintiff's request to
3 continue the trial dates and set a schedule for expert disclosure and discovery. The parties have not
4 resolved Plaintiff's request to re-open limited discovery, which remains before Magistrate Judge
5 Drozd.

6 Good cause exists to continue the final pretrial conference and trial dates, and set an expert
7 discovery schedule, because Plaintiffs' motion to re-open discovery will not be heard until after the
8 existing date for disclosing expert-witness information and filing pretrial reports. As set forth in the
9 Declaration of Andrew Chang (Dkt 75-1), the premise of Plaintiff's motion is that Plaintiff's
10 recently appointed counsel has been unable to obtain and review all relevant and material evidence
11 to prepare for trial despite diligent efforts to do so informally. Plaintiff's counsel is unable to
12 complete those efforts before the June 8, 2015 pretrial conference and the August 11, 2015 trial.
13 Good cause also exists because Plaintiff's counsel requires additional time to review that evidence
14 and identify, retain, and disclose necessary experts. The current schedule does not allow sufficient
15 time for Plaintiff to confirm with Plaintiff's non-CDCR health-care providers whether there has been
16 complete collection of Plaintiff's medical records much less complete expert discovery and prepare
17 for trial.

18 Based on the forgoing, Plaintiff and Defendants stipulate and respectfully request the Court
19 enter an Order as follows:

20 1. The parties stipulate and request that the Court continue the trial date, currently
21 scheduled for August 11, 2015, to December 15, 2015 or thereafter, subject to the Court's
22 availability.

23 2. The parties further stipulate and request that the Court continue the Pre-Trial
24 Conference, currently scheduled for June 8, 2015, to October 13, 2015 or thereafter, subject to the
25 Court's availability.

1 3. Additionally, the parties stipulate and request that the Court order that the parties'
2 expert disclosures pursuant to Fed. R. Civ. P. 26(a)(2)(D)(i) be made on or before September 29,
3 2015 and that expert discovery be completed on or before November 10, 2015.

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5 IT IS SO STIPULATED.

6 DATED: May 8, 2015 _____

Shook, Hardy & Bacon, L.L.P.

7
8 By: /s/ Andrew L. Chang
 ANDREW L. CHANG

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10 Attorney for Plaintiff
 Ronnie E. Barron

11 DATED: May 8, 2015

KAMALA D. HARRIS
Attorney General of California
CHRISTOPHER J. BECKER
Supervising Deputy Attorney General

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15 By: /s/ Jon S. Allin (as authorized on May 7,
 2015

16 Attorneys for Defendants
 K. Martinez and K. Todd

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19 IT IS SO ORDERED. The Pre-Trial Conference, currently scheduled for June 8, 2015, is
20 continued to August 15, 2016 at 2:00 p.m. The trial date, currently scheduled for August 11, 2015,
21 is continued to September 13, 2016 at 9:00 a.m.

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23 Dated: May 8, 2015

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25 WILLIAM B. SHUBB
26 UNITED STATES DISTRICT JUDGE