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11 **IN THE UNITED STATES DISTRICT COURT**
12 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
13 **SACRAMENTO DIVISION**

14 DANNY MURPHY COSTON

15 Plaintiff,

16 v.

17 ANDREW NANGALAMA, et al.

18 Defendants.

Case No. 2:10-cv-02009-MCE-EFB

**STIPULATION AND ORDER FOR
PRETRIAL SCHEDULING ORDER**

Judge: Hon. Morrison C. England, Jr.
Courtroom: 7

1 SUBJECT TO THE APPROVAL OF THE COURT, and pursuant to the Court’s April 29,
2 2024 Minute Order (ECF No. 278) and May 7, 2024 Minute Order (ECF No. 279), Plaintiff Danny
3 Murphy Coston and Defendant Andrew Nangalama (together, the “Parties”),¹ by and through their
4 counsel, hereby jointly submit the following Stipulation and Proposed Order for a Pretrial
5 Scheduling Order.

6 **RECITALS**

7 WHEREAS, this matter has been remanded for a new trial. (ECF No. 216).

8 WHEREAS, on October 17, 2022, the Court granted Mr. Coston’s motion to reopen
9 discovery in this matter and ordered the Parties to file a Joint Status Report 30 days after the close
10 of fact discovery. (ECF No. 226; *see also, e.g.*, ECF No. 259; ECF No. 274).

11 WHEREAS, on April 24, 2024, following the close of fact discovery, the Parties timely
12 filed a Joint Status Report. This Joint Status Report included a proposed pretrial schedule. (ECF
13 No. 277).

14 WHEREAS, on April 29, 2024 and May 7, 2024, the Court ordered the Parties to file a
15 Stipulation and Proposed Order on their proposed pretrial schedule. (ECF No. 278; ECF No. 279).

16 **STIPULATION**

17 NOW, THEREFORE, the Parties hereby propose and agree to the following pretrial
18 schedule, subject to the Court’s approval:

- 19 1. Expert Disclosures will be due on June 25, 2024.
- 20 2. Rebuttal Expert Disclosures will be due on August 26, 2024.
- 21 3. Expert discovery will close on October 25, 2024.
- 22 4. Any dispositive motions will be filed on or by November 4, 2024.
- 23 5. Settlement Conference will be conducted on or by January 20, 2025.

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26 ¹ Defendant Randall Hale is currently unrepresented in this proceeding and has not participated
27 in this litigation in over a year. (*See, e.g.*, ECF No. 236 at 5). Mr. Hale did not participate in the
28 submission of this Stipulation and Proposed Order. Given Mr. Hale’s failure to participate in this
litigation, Mr. Coston has moved for an order striking Mr. Hale’s answer and entering default
against him. (ECF No. 276). This motion is currently pending before the Court.

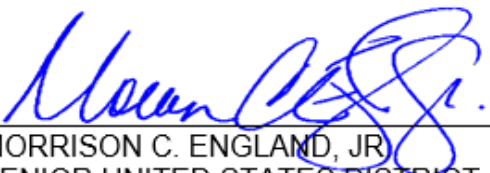
1 **ORDER**

2 Before the Court is the Stipulation jointly filed by the Parties to set a pretrial schedule.
3 Good cause appearing therefor, the Court **APPROVES** the Stipulation and **ORDERS** as
4 follows:

- 5 1. Expert Disclosures will be due on June 25, 2024.
6 2. Rebuttal Expert Disclosures will be due on August 26, 2024.
7 3. Expert discovery will close on October 25, 2024.
8 4. Any dispositive motions will be filed on or by November 4, 2024.
9 5. Settlement Conference will be conducted on or by January 20, 2025.
10 6. Final Pretrial Conference will be held on March 3, 2025.
11 7. Trial will begin on April 7, 2025.

12 IT IS SO ORDERED.

13 Dated: May 9, 2024

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16 MORRISON C. ENGLAND, JR.
17 SENIOR UNITED STATES DISTRICT JUDGE
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