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28 *Mini, Lizarraga, and Virga*

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION

22 SHERMAN JONES,

23 Plaintiff,

24 v.

25 C. CANNEDY, et al.,

26 Defendants.

Case No. 2:10-CV-02174-KJM –KJN P

**STIPULATION TO MODIFY
DISCOVERY SCHEDULING ORDER;
[PROPOSED] ORDER**

1 Plaintiff SHERMAN JONES (hereinafter "Plaintiff") and defendants MINI,
2 LIZARRAGA, and VIRGA, (hereinafter "Defendants") hereby present the following Stipulation
3 to Modify the current Scheduling Order in the above-captioned action.

4 **RECITALS**

5 The parties set forth the following recitals to demonstrate that good cause exists to
6 modify the current discovery and scheduling order in this case:

7 WHEREAS, Plaintiff's First Amended Complaint (hereinafter "FAC") was filed on
8 March 7, 2011.

9 WHEREAS, on July 29, 2011, the Court deemed the FAC the operative pleading.

10 WHEREAS, on February 24, 2012, attorneys Marguerite Meade and William L. Schmidt
11 were substituted into this action as attorneys of record for Plaintiff.

12 WHEREAS, on September 24, 2012, the Court issued an order dismissing certain
13 defendants and claims. (ECF No. 53.)

14 WHEREAS, on October 8, 2012, Defendants filed an answer to Plaintiff's FAC.

15 WHEREAS, on October 18, 2012, the Court issued a scheduling order that deemed
16 discovery closed on February 1, 2013.

17 WHEREAS, Defendants noticed Plaintiff's deposition for January 29, 2013, and agreed
18 to reschedule it for March 19, 2013, at the request of Plaintiff's counsel. Plaintiff is currently
19 scheduled to be deposed on March 19, 2013.

20 WHEREAS, counsel for the parties have meet and conferred, and stipulated to Plaintiff's
21 proposed deposition of the person most knowledgeable regarding the policy, practice or custom
22 in place from January 19, 2010, through the summer of 2010 on B Facility at CSP – Sacramento
23 that subjected African-American inmates to a modified program.

24 WHEREAS, no previous modification of the Discovery and Scheduling Order has taken
25 place.

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1 **STIPULATION**

2 Now, therefore, IT IS HEREBY STIPULATED, by and between the parties, through
3 their respective attorneys of record that:

4 1. Plaintiff shall be allowed to depose the Person Most Knowledgeable of the policy,
5 practice or custom in place from January 19, 2010, through the summer of 2010 on B Facility at
6 CSP – Sacramento that subjected African-American inmates to a modified program. The time
7 and date for this deposition shall be coordinated through counsel and subject to the mutual
8 availability of the parties and/or deponent.

9 2. Defendants shall be allowed to take the deposition of Plaintiff on March 19, 2013.

10 3. All other dates in the Discovery and Scheduling Order will remain the same.

11 **IT IS SO STIPULATED.**

12 Date: March 4, 2013

LAW OFFICE OF MARGUERITE E. MEADE

14 By: /s/ Marguerite E. Meade
15 Marguerite E. Meade

16 Attorney for Plaintiff SHERMAN JONES

17 Dated: March 4, 2013

LAW OFFICE OF WILLIAM L. SCHMIDT

19 By: /s/ William Schmidt
20 William L. Schmidt

21 Attorney for Plaintiff SHERMAN JONES

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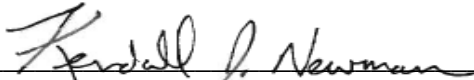
Dated: March 7, 2013

KAMALA D. HARRIS
Attorney General of California
MISHA D. IGRA
Supervising Deputy Attorney General

By: /s/ David E. Brice
DAVID E. BRICE
Deputy Attorney General
Attorneys for Defendants
Mini, Lizarraga, and Virga

IT IS SO ORDERED.

Date: 3/18/2013


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE