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 SACRAMENTO COUNTY

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

16 JOSEPH HARDESTY, et al.,  
 17 Plaintiffs,  
 18 v.  
 19 SACRAMENTO METROPOLITAN AIR  
 QUALITY MANAGEMENT DISTRICT, et  
 20 al.,  
 21 Defendants.

Case No.: 2:10-cv-02414-KJM-KJN  
 Consolidated with: 2:12-cv-2457-KJM-KJN

**STIPULATION AND ORDER TO  
 MODIFY DISCOVERY DEADLINES**

Judge: Hon. Kimberly J. Mueller  
 Magistrate: Hon. Kendall J. Newman

Trial Date: February 16, 2017  
 Action Filed: September 8, 2010

22 AND RELATED CONSOLIDATED CASES  
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**STIPULATION TO EXTEND DISCOVERY DEADLINES**

The parties, through their respective counsel, submit this stipulation to extend the deadlines provided in the Court’s Order dated October 4, 2021 (ECF No. 650), which was modified by stipulation and order filed October 18, 2021 (ECF No. 652), on December 22, 2021 (ECF No. 657) and again on March 9, 2022 (ECF No. 668) (collectively, “Prior Orders”). A proposed order is attached as required under Local Rule 143(b).

Counsel for the respective parties have met and conferred and agree that limited requests for extension of the remaining deadlines stated in the Court’s Prior Orders are warranted. Counsel collectively agree that additional time is necessary in the light of (i) the nature of the claims and defenses involved in this case; (ii) the number of expert witnesses the parties have disclosed and the complexity of the subjects covered by their expert reports; (iii) and the number of depositions the parties anticipate they will need to take to complete expert and fact-based discovery. To that end, the parties stipulate as follows:

1. The Court previously set an expert discovery cutoff date of July 6, 2022.
2. The Court previously set a fact discovery cutoff date of August 4, 2022.
2. The Court ordered filing of dispositive motions such that the Court could hear them by August 26, 2022.
4. Due to the claims and defenses involved in this case, as well as the time needed to propound discovery, schedule depositions, and allow experts to review discovery, additional time for both expert and fact-based discovery is needed. The parties agree that due to the intertwined importance of expert and fact-based witnesses and evidence, it would be most effective to have expert and fact-based discovery conclude on the same date.
5. To provide the reasonable additional time needed to complete remaining discovery, the parties stipulate expert witness discovery shall be extended to and close on September 30, 2022, instead of July 6, 2022.
6. The parties further stipulate that fact-based discovery shall be extended to and close on September 30, 2022, instead of August 4, 2022.

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**ORDER**

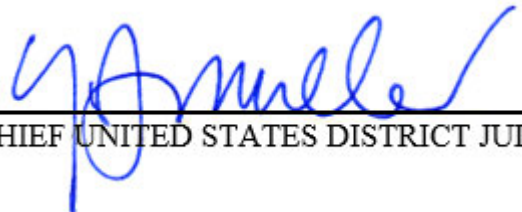
Good cause appearing, considering the parties’ stipulation, the court modifies the schedule stated in its March 9, 2022 Order, ECF No. 668, as follows.

1. The cutoff for expert witness discovery is extended to September 30, 2022.
2. The deadline for fact-based discovery is extended to September 30, 2022.
3. Dispositive motions shall be heard by November 18, 2022.
4. All other deadlines and requirements contained in the court’s October 4, 2021,

ECF No. 650, shall remain the same.

IT IS SO ORDERED.

Dated: July 20, 2022.

  
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CHIEF UNITED STATES DISTRICT JUDGE