Scottlynn J Hubbard IV, SBN 212970 DISABLED ADVOCACY GROUP, APLC 12 Williamsburg Lane 2 Chico, CA 95926 Telephone: (530) 895-3252 3 Facsimile: (530) 894-8244 4 Attorney for Plaintiff William Barker 5 Susan E. Coleman, SBN 171832 6 E-mail: scoleman@bwslaw.com Martin Kosla, SBN 247224 7 E-mail: mkosla@bwslaw.com 8 **BURKE, WILLIAMS & SORENSEN, LLP** 444 South Flower Street, Suite 2400 Los Angeles, CA 90071-2953 Telephone: (213) 236.0600 10 Facsimile: (213) 236.2700 11 Attorneys for Defendant R. Yassine 12 13 THE UNITED STATES DISTRICT COURT 14 FOR THE EASTERN DISTRICT OF CALIFORNIA 15 16 William Barker, ) Case No. 2:11-cv-00246-LKK-AC 17 Stipulation and [Proposed] Order to Plaintiff, 18 **Extend the Expert Disclosures Deadline** 19 VS. 20 R. Yassine, 21 Hon. Magistrate Judge Allison Claire Defendant. 22 23 24 25 26 27 28 Barker v. Yassine. Case No. 2:11-cv-00246-LKK-AC Stipulation and [Proposed] Order to Extend Expert Disclosure Deadline

(PC) Barker v. Yassine

Doc. 101

Dockets.Justia.com

It is hereby stipulated by and between the parties hereto, through their respective counsel of record the following:

**WHEREAS**, the parties were served with Scheduling Order on December 17, 2013 in this matter;

**WHEREAS**, the Scheduling Order provides that by April 14, 2014, the parties shall disclose their expert witnesses.

**WHEREAS**, for the past thirty-six (36) days plaintiff's counsel has been trying to coordinate a mutually agreeable date to schedule an Independent Medical Examination with the California Department of Corrections and Rehabilitation ("CDCR").

**WHEREAS**, in late February the CDCR's litigation coordinator, Ms. Ann Sheldon, informed plaintiff's counsel that due to plaintiff's custody status any visits would be non-contact.

WHEREAS, defense counsel has informed plaintiff's counsel that he needs to submit a written request to the Warden at the institution requesting an Independent Medical Examination, as required by Cal. Code Regs., tit.15, § 3354 (c).

**WHEREAS**, on April 1, 2014, it was brought to Plaintiff's counsel's attention that Mr. Barker was transferred to the Richard J. Donovan Correctional Facility in San Diego.

**THEREFORE,** the Parties jointly stipulate and request that this Court enter an order as follows:

1. Due to the limited availability of Mr. Barker, Plaintiff request that expert disclosures be extended thirty (30) days for the sole purpose of allowing plaintiff to complete its IME.

- 1	
1	2. Nothing in this Stipulation shall be construed to effect any other date set
2	forth in the Court's Scheduling Order, as all other dates shall remain the
3	same.
4	IT IS SO STIPULATED.
5	
6	Dated: April 4, 2014 DISABLED ADVOCACY GROUP, APLC
7	
8	/s/ Scottlynn J Hubbard IV
9	Scottlynn J Hubbard IV, Esq. Attorney for Plaintiff William Barker
10	jj
11	Dated: April 4, 2014 BURKE, WILLIAMS & SORENSEN, LLP
12	/s/ Martin Kosla
13	Martin Kosla, Esq.
14	Attorney for Defendant R. Yassine
15	[ <del>PROPOSED</del> ] ORDER ON STIPULATION
16	TROPOSED ONDER ON STITULATION
17	Good cause appearing, IT IS HEREBY ORDERED that the date for Expert
18	Disclosures under Rule 26(a)(2) be continued to May 14, 2014.
19	IT IS SO ORDERED.
20	
21	Dated: April 7, 2014
22	ALLISON CLAIRE UNITED STATES MAGISTRATE JUDGE
23	
24	
25	
26	