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

11 SANDIPKUMAR TANDEL,

13 Plaintiffs,

15 v.

17 COUNTY OF SACRAMENTO et al,

19 Defendants.

**Consolidated Case No.
 2:11-CV-00353-MCE-GGH**

**STIPULATED REQUEST FOR AN ORDER
 CONTINUING THE DATE SET FOR
 HEARING OF DEFENDANTS' MOTIONS
 FOR SUMMARY JUDGMENT AND ALL
 ASSOCIATED PLEADING DATES**

Trial: January 26, 2015

1 All parties, through their attorneys, hereby stipulate and request an order granting an
2 extension to the current scheduling order related to the filing of all responsive pleadings, and to
3 the hearing on Defendants' pending Motions for Summary Judgment in the above consolidated
4 cases, as to all claims and all defendants.

5 GOOD CAUSE under F.R.C.P Rule 16 exists to modify the pretrial scheduling order
6 currently in place, as follows:

7 As this Court is aware, this is a consolidated case, with 13 remaining Defendants, and
8 involving state and federal claims related to the policies, practices and procedures within the Main
9 Jail, as well as claims of deficient and/or delayed and medical care provided during Plaintiff's
10 2007 incarceration (February 2007 through May 20, 2007) and 2010 incarceration (March 23,
11 2010 through May 10, 2010).

12 On July 12, 2014, Defendants County of Sacramento, John McGinness, Ann Marie
13 Boylan, Michael Sotak M.D., Susan Kroner RN, Agnes R. Felicano NP, Glayol Sahba, M.D.,
14 Deputy John Wilson, Richard Bauer, M.D., Deputy Stephanie Jacoby, Deputy Mark Medeiros and
15 Deputy Mark Iwasa brought a 40-page motion for summary judgment as to all claims, with 42
16 exhibits. (Dkt. 135.) The motion papers total 999 pages.

17 On July 12, 2014, Defendant Chris Smith brought a separate 20-page motion for summary
18 judgment, with 21 supporting exhibits. (Dkt. 136.) The motion papers total 476 pages.

19 The current scheduling order at Docket 111 (dated July 29, 2013), sets the relevant dates as
20 follows:

- 21 • The last day to hear dispositive motions shall be **August 7, 2014** Dispositive
22 motion filed at least **8 weeks prior to hearing;**
- 23 • Opposition and any cross-motion filed at least **5 weeks prior to hearing;**
- 24 • Reply and opposition to cross-motion filed at least **3 weeks prior to hearing;**
- 25 • Reply to cross-motion filed at least **1 week prior to hearing.**

26 When the parties agreed to the above scheduling order, the trial date was set for December
27 1, 2014, the dispositive motion(s) were limited to 20 pages, and expert discovery was to be
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1 completed on May 1, 2014. Since that time the Court has continued the trial date to January 26,
2 2015 (Dkt. 126, filed 4/23/14); the close of expert discovery was continued to June 30, 2014, (Dkt.
3 127), and Defendants were granted the opportunity to expand their Motions for Summary
4 Judgment from twenty (20) pages to forty (40) pages. Dkt. 132.

5 In light of the extensive nature of Defendants' pleading consisting of two motions with 60
6 pages of pleading and just under 1500 pages of exhibits, and the fact that expert discovery is
7 continuing, both Plaintiff and Defendants are in agreement that more time is necessary for the
8 adequate preparation of Plaintiff's oppositions to both motions and Defendants' replies.
9 Accordingly, the parties request that the Court to continue the date for hearing on the dispositive
10 motions from August 7, 2014 to **September 4, 2014**, with:

- 11 • Opposition and any cross-motion filed at least **7 weeks prior to hearing**;
- 12 • Reply and opposition to cross-motion filed at least **3 weeks prior to hearing**;
- 13 • Reply to cross-motion filed at least **1 week prior to hearing**.

14 Granting this request would not implicate the trial date or any associated dates set by the
15 Court at Dkt. 126, filed 4/23/14.

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17 **IT IS SO STIPULATED.**

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DATED: July 17, 2014

Respectfully submitted,
LAW OFFICES OF GREEN & GREEN, LLP
By: Geri Lynn Green
Geri Lynn Green
Attorney for Plaintiff TANDEL

DATED: July 17, 2014

LONGYEAR, O'DEA & LAVRA, LLP
By : /s/ Van Longyear*
VAN LONGYEAR
Attorney for Defendants County, et. al.,

DATED: July 17, 2014

PORTER SCOTT
A Professional Corporation
By : /s/ Norm Prior*
Norm Prior
Attorney for Defendant SMITH

* filed with signatory's permission.

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ORDER

GOOD CAUSE having been found, the pretrial scheduling order at Docket 111 is modified as follows:

- The last day to hear dispositive motions shall be **September 4, 2014.**
- Opposition and any cross-motion filed at least **7 weeks prior to hearing;**
- Reply and opposition to cross-motion filed at least **3 weeks prior to hearing;**
- Reply to cross-motion filed at least **1 week prior to hearing.**

IT IS SO ORDERED.

Dated: June 24, 2014



MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT