

1 Robert C. Bowman, Jr. (SBN: 232388)
2 Sean Gavin (SBN: 251124)
3 THE LAW OFFICE OF BOWMAN & ASSOCIATES
4 A Professional Corporation
5 3841 North Freeway Blvd., Suite 185
6 Sacramento, CA 95834
7 T: 916.923.2800
8 F: 916.923.2828
9 E: sgavin@bowmanandassoc.com

10 Attorneys for Plaintiff
11 KRIS ROBINSON

12 Brian S. Inamine (State Bar No. 117893)
13 Brian.Inamine@leclairryan.com
14 Philip J. Bonoli (State Bar No. 188906)
15 Philip.Bonoli@leclairryan.com
16 LECLAIRRYAN, LLP
17 725 South Figueroa Street, Suite 350
18 Los Angeles, CA 90017-5455
19 Telephone: (213) 488-0503
20 Telefax: (213) 624-3755

21 Attorneys for Defendant
22 HD SUPPLY, INC.

23 **UNITED STATES DISTRICT COURT**
24 **EASTERN DISTRICT OF CALIFORNIA**

25 KRIS ROBINSON,

26 Plaintiff,

27 v.

28 HD SUPPLY, INC., a corporation,
and DOES 1 through 50, inclusive.

Defendants.

Case No.: 2:12-CV-00604-GEB-CKD

**STIPULATED PLAN TO COMPLETE
OUTSTANDING DISCOVERY
(DEPOSITION OF DEFENDANT'S
EXPERT WITNESS, DR. ALAN E.
BROOKER)**

Trial: February 25, 2014
Discovery Cutoff: July 23, 2013

1 WHEREAS the Court’s Status (Pretrial Scheduling) Order in this matter (Docket #17)
2 provides that all discovery was to be completed by July 23, 2013; and

3 WHEREAS on July 23, 2013, the parties submitted a Stipulation and Proposed Order
4 requesting that, inter alia, “discovery shall remain open until August 30, 2013 for the purpose of
5 completing the deposition of Defendant’s expert witness, Dr. Alan E. Brooker”; and

6 WHEREAS on August 13, 2013, Plaintiff sought available dates for Dr. Brooker’s
7 deposition from Defendant; and

8 WHEREAS on August 14, 2013, Defense counsel responded, “I think the most
9 reasonable step is to wait for the District Judge’s ruling on the defense appeal of the magistrate
10 judge’s denial of the motion to compel mental examination. If the District Judge rejects the
11 appeal, then the defense will revisit Dr. Brooker’s use in this case. If the District Judge permits
12 a mental examination, then I would think you would want to depose Dr. Brooker after he
13 completes the examination. If needed, we can stipulate to an additional 30-day extension of the
14 discovery cutoff to allow for Dr. Brooker’s deposition,” and

15 WHEREAS on August 16, 2013, Plaintiff served on Defendant a Notice of Taking
16 Deposition Notice of Dr. Brooker, which is scheduled for August 30, 2013; and

17 WHEREAS Dr. Brooker’s deposition is the only outstanding discovery currently
18 contemplated by either party, and the Parties have agreed on this plan to address the completion
19 of that deposition; and

20 //
21 //
22 //
23 //
24 //
25 //
26 //
27 //

1 WHEREAS although this is the Parties' second request in this regard, they wish to avoid
2 wasteful pretrial activities, such as motions to compel discovery, and believe that judicial
3 economy is furthered and the burden on the Parties and the Court are lessened by

4 **STIPULATING AS FOLLOWS:**

- 5 1. Discovery shall remain open until September 30, 2013 for the purpose of completing
6 the deposition of Defendant's expert witness, Dr. Alan E. Brooker.

7
8 Respectfully Submitted,

9 THE LAW OFFICE OF BOWMAN & ASSOCIATES
10 A Professional Corporation

11
12
13 Dated: August 29, 2013

By: /s/ Sean Gavin
Sean Gavin (SBN: 251124)
Attorney for Plaintiff, KRIS ROBINSON

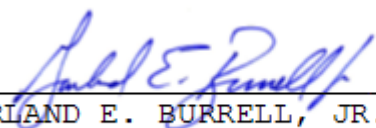
14
15
16 Dated: August 29, 2013

LECLAIRRYAN, LLP

17
18
19 By: /s/ Brian Inamine
Brian S. Inamine
Philip J. Bonoli
Attorneys for Defendant
HD SUPPLY, INC.

20
21
22
23 **IT IS SO ORDERED**

24 Dated: August 30, 2013



GARLAND E. BURRELL, JR.
Senior United States District Judge