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Jeffrey Beard, in his official capacity as Secretary of
8 *the California Department of Corrections and*
Rehabilitation

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10 IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

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12 **CALIFORNIA SPORTFISHING**
PROTECTION ALLIANCE, a non-profit
13 **corporation,**

14 Plaintiff,

15 v.

16 **JEFFREY BEARD, in his official capacity**
17 **as Secretary of the California Department of**
Corrections and Rehabilitation,

18 Defendant.
19

2:13-CV-00840-GEB-DAD

STIPULATION AND [PROPOSED]
ORDER TO AMEND STATUS (PRE-
20 **TRIAL SCHEDULING) ORDER**

Judge: Hon. Judge Garland E. Burrell, Jr.
Action Filed: April 29, 2013
Trial Date: June 21, 2016

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22 Plaintiff California Sportfishing Protection Alliance (“CSPA”) and Defendant Jeffrey
23 Beard, in his official capacity as Secretary of the California Department of Corrections and
24 Rehabilitation (“CDCR”; collectively, the “parties”), by and through their respective counsel,
25 hereby stipulate to and respectfully request that, pursuant to the following terms, the Court order
26 the following extensions of time which would amend pertinent dates in the Court’s Status (Pre-
27 Trial Scheduling) Order filed as Document No. 15 on February 27, 2014.
28

1 WHEREAS, the parties hereto have been engaged in settlement negotiations to address the
2 discharges alleged in the Complaint, which have resulted in a proposed settlement agreement that
3 would resolve all of CSPA's claims herein; and

4 WHEREAS, the parties require additional time to seek final settlement authority and
5 finalize their tentative settlement agreement and enter this stipulation in order to conserve their
6 resources pending finalization of their tentative agreement.

7 NOW, THEREFORE, in consideration of the foregoing, the parties, and each of them,
8 hereby stipulate and agree as follows:

9 1. The date by which the parties shall comply with the requirements of Federal Rules of
10 Civil Procedure, Rule 26, subdivisions (a)(2)(B) and (C), is continued from June 1, 2015 to
11 October 1, 2015, and any contradictory and/or rebuttal expert disclosure authorized under
12 Federal Rules of Civil Procedure, Rule 26, subdivision (a)(2)(D)(ii), is continued from July 1,
13 2015 to November 1, 2015.

14 2. The time to complete all discovery shall be continued from November 1, 2015 to
15 March 1, 2016.

16 3. The last hearing date for a motion shall be continued from January 25, 2016 to April
17 29, 2016, commencing at 9:00 a.m.

18 4. The final pretrial conference shall be continued from March 21, 2016, at 2:30 p.m. to
19 June 6, 2016, or such time thereafter that is convenient for the Court.

20 5. Trial shall be continued from June 21, 2016 to September 20, 2016 at 9:00 a.m., or
21 such time thereafter that is convenient for the Court.

22 6. If the Court approves the extensions set forth in paragraphs 1 through 5 above, the
23 parties further agree as follows regarding pending discovery:

24 A. CDCR's time to respond to CSPA's first set of document requests and
25 interrogatories, currently due on January 15, 2015, is continued to February 27, 2015.

26 B. The depositions of CDCR's PMK(s) currently scheduled for February 3 and 4,
27 2015, shall be continued to March 18 and 19, 2015, or as soon as possible thereafter if the
28 PMK(s) is/are not available on those dates.

1 C. CSPA's first formal inspection of the facilities that are the subject of the
2 Complaint herein, currently scheduled for February 12, 2015, shall be continued to March 30,
3 2015.

4 D. If the parties' tentative settlement agreement is approved by CDCR management
5 prior to February 27, 2015, then all of the above pending discovery shall be continued indefinitely
6 pending review and approval of the settlement by the United States Department of Justice.

7 IT IS SO STIPULATED.

8 Dated: January 9, 2015

KAMALA D. HARRIS
Attorney General of California
GAVIN G. MCCABE
Supervising Deputy Attorney General

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10
11 */s/ Daniel S. Harris*

12 DANIEL S. HARRIS
13 Deputy Attorney General
14 *Attorneys for Defendant*
15 *Jeffrey Beard, in his official capacity as*
16 *Secretary of the California Department of*
17 *Corrections and Rehabilitation*
18 LAW OFFICES OF ANDREW L. PACKARD

15 Dated: January 9, 2015

17 */s/ Andrew L. Packard*

18 ANDREW L. PACKARD
19 *Attorneys for Plaintiff*
20 *California Sportfishing Protection Alliance*

21 **[PROPOSED] ORDER**

22 Having considered the above Stipulation, and good cause appearing, the Status (Pretrial
23 Scheduling) Order filed on February 27, 2014 is hereby amended as follows:

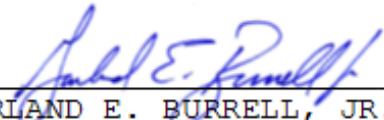
24 1. The date by which the parties shall comply with the requirements of Federal Rules of
25 Civil Procedure, Rule 26, subdivisions (a)(2)(B) and (C), is continued from June 1, 2015 to
26 October 1, 2015, and any contradictory and/or rebuttal expert disclosure authorized under
27 Federal Rules of Civil Procedure, Rule 26, subdivision (a)(2)(D)(ii), is continued from July 1,
28 2015 to November 1, 2015.

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2. The time to complete all discovery shall be March 1, 2016.
3. The last hearing date for a motion shall be April 18, 2016, commencing at 9:00 a.m.
4. The final pretrial conference shall be on June 27, 2016 at 2:30 p.m.
5. Trial shall commence on September 20, 2016 at 9:00 a.m.

IT IS SO ORDERED.

Dated: January 12, 2015



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