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10 COUNTY OF SACRAMENTO (erroneously sued as SACRAMENTO COUNTY
11 DEPARTMENT OF SUPPORT SERVICES)

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17 Attorney for Plaintiff
18 JAMES D. HASS

19 UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF CALIFORNIA

20 JAMES D. HASS,

CASE NO. 2:13-CV-01746-JAM-KJN

21 Plaintiff,

**PLAINTIFF JAMES D. HASS AND
DEFENDANT COUNTY OF
SACRAMENTO'S STIPULATION AND
REQUEST TO MODIFY THE STATUS
(PRE-TRIAL-SCHEDULING ORDER)**

22 v.

23 SACRAMENTO COUNTY
24 DEPARTMENT OF SUPPORT SERVICES,
25 SACRAMENTO COUNTY SHERIFF
26 SCOTT JONES ATTORNEY SEAN
27 GJERDE, AND DOES 1 through X,
28 inclusive,

Defendants

Complaint Filed: March 7, 2012

Plaintiff JAMES HASS and Defendant COUNTY OF SACRAMENTO (erroneously sued as SACRAMENTO COUNTY DEPARTMENT OF SUPPORT SERVICES) hereby respectfully request the Court modify the Status (Pre-trial Scheduling) Order for the reasons set forth below.

Defendants removed the case to this Court on August 22, 2013. Since the removal was

1 filed, Defendant COUNTY OF SACRAMENTO has filed Motions to Dismiss the initial
2 Complaint, the First Amended Complaint, and, now, the Second Amended Complaint.
3 Defendant COUNTY's first two motions were granted with leave to amend. The hearing on
4 Defendant's Motion To Dismiss the Second Amended Complaint is set for August 20, 2014. If
5 Defendant COUNTY's motion is successful and the Court does not grant leave to amend, then
6 the case will be concluded as it pertains to Defendant COUNTY.

7 Because of the above and the fact the pleadings are not yet in order, the parties have not
8 yet engaged in any discovery so as to avoid incurring needless time and expense conducting
9 discovery on claims that cannot survive a motion to dismiss. Since expert disclosures are due in
10 this case on August 15, 2014, discovery is set to close on October 15, 2014, and it is unlikely the
11 parties will have a resolution of the currently pending Motion to Dismiss prior to September
12 2014, the parties stipulate to modify the present scheduling order and respectfully request that the
13 scheduling order be modified as follows:

| | |
|--|--|
| Expert Disclosure: | July 10, 2015 |
| Rebuttal Expert Disclosure: | August 14, 2015 |
| Discovery Cutoff: | October 14, 2015 |
| Last Day to File Dispositive Motions: | November 18, 2015 |
| Hearing on dispositive motions: | December 16, 2015 at 9:30 a.m. |
| Joint pretrial statement due: | February 5, 2016 |
| Pre-Trial Conference: | February 12, 2016 at 10:00 a.m. |
| Trial: | March 28, 2016 at 9:00 a.m. |

22 **IT IS SO STIPULATED:**

23 Dated: July 22, 2014

PORTER SCOTT
A PROFESSIONAL CORPORATION

25 By /s/ Michael W. Pott

26 Michael W. Pott
27 Attorney for Defendant
COUNTY OF SACRAMENTO

28 Dated: July 22, 2014

LORETTA HAZEL HELLEN

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By /s/ Loretta H. Hellen (Approved on 7/18/14)
Loretta H. Hellen, Attorney for Plaintiff
JAMES D. HASS

ORDER

Based on the Stipulation of the parties, the current scheduling order is modified as set forth above.

IT IS SO ORDERED:

Dated: July 22, 2014

/s/ John A. Mendez
U. S. District Court Judge