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15					
16	UNITED STATES DISTRICT COURT				
17	EASTERN DISTRICT OF CALIFORNIA SACRAMENTO DIVISION				
18					
19	DAVID W. GREGOIRE Plaintiff,) Case No.: 2:13-cv-01857-TLN-DAD			
20	vs.) STIPULATION AND ORDER TO			
21) MODIFY SCHEDULING ORDER			
22 23	COUNTY OF SACRAMENTO, SHERIFF'S DEPARTMENT; COUNTY				
23	OF SACRAMENTO; SHERIFF SCOTT JONES, in his official capacity only; DEPUTY ANTHONY JENKINS in his)			
25	individual capacity,				
26	Defendant)			
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28					
_~					
	Stipulation and Or	Stipulation and Order to Modify Scheduling Order Page 1			
			Do		

The Plaintiff David Gregoire, by and through his attorney Gary Gorski, and Defendants, by and through their attorney, John Lavra stipulate as follows:

The purpose of this stipulation is to request that the court modify the existing scheduling order by extending the discovery cutoff and the date for expert disclosures.

This case arises as a result of the plaintiff being bitten by a Sacramento County Sheriff's canine, which was under the control of Defendant Deputy Jenkins. The canine was being used in conjunction with a vehicle pursuit and stop, and an arrest of the individual involved in the pursuit. Unfortunately, the plaintiff was bitten by the Sheriff's canine by mistake. Plaintiff has brought state law claims for personal injury and federal claims for excessive force under the Fourth Amendment and Monell claims against the County, alleging unconstitutional policies surrounding canine use by the Sheriff's Department

The complaint was filed on September 6, 2013. Answers to the complaint were filed on October 7, 2013. On November 14, 2013, the parties submitted their joint status report, requesting discovery cut off on May 15, 2014 and expert disclosures on June 17, 2014.

On February 17, 2014, Plaintiff filed an Amended Complaint, and Defendants filed Answers to the First Amended Complaint on March 3, 2014.

On January 29, 2014, the court issued its scheduling order as follows:

- May 15, 2014- Discovery to be completed
- July 17, 2014- Initial Expert Disclosure
- August 6, 2014- Supplemental Expert Disclosure
- November 20, 2014- Last day for hearing on Dispositive Motions
- February 12, 2015 Final Pretrial Conference
- April 20, 2015 Trial

The parties are actively engaged in discovery. The deposition of the plaintiff is scheduled for April 24, 2014. The parties are in the process of scheduling the deposition of Defendant Jenkins. Plaintiff has served Interrogatories, Requests for Production of Documents, and Requests for

Admissions. The plaintiff's discovery consists of over two hundred requests. Defendants have also served written discovery including Interrogatories, and Requests for Production of Documents.

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1	In light of the foregoing, the parties cannot complete discovery on the claims and defenses by		
2	May 15, 2014. Further, by extending discovery, it will allow the parties to complete discovery initially		
3	on the individual Fourth Amendment claims, and then, if necessary, on the Monell claims. This may		
4	result in saving time and expense of the parties, and potentially the court's time in dealing with		
5	discovery motions.		
6	The parties stipulate to modify the scheduling order as follows:		
7	1. Discovery completion, including expert discovery - October 1, 2014		
8	2. Expert Disclosure -August 1, 2014		
9	All other dates shall remain the same.		
10	IT IS SO STIPULATED		
11	Dated: April 8, 2014	LONGYEAR, O'DEA & LAVRA, LLP	
12	By:	/s/ John A. Lavra	
13		JOHN A. LAVRA AMANDA L. MCDERMOTT	
14		Attorneys for Defendants	
15	Dated: April 8, 2014	LAW OFFICES OF GARY GORSKI	
16	By:	/s/ Gary Gorski	
17		GARY GORSKI Attorney for Plaintiff	
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	Stipulation and Order to Modify Scheduling Order		
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1	ORDER	
2	Pursuant to stipulation, it is ordered that the parties complete all discovery including expert	
3	discovery by October 1, 2014, and exchange Expert Witness Reports by August 1, 2014.	
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5	IT IS SO ORDERED:	
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7	Dated: April 8, 2014	
8	my Hunley	
9	Troy L. Nunley	
10	United States District Judge	
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