

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

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

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

12 The complaint was filed on September 6, 2013. Answers to the complaint were filed on October
13 7, 2013. On November 14, 2013, the parties submitted their joint status report, requesting discovery cut
14 off on May 15, 2014 and expert disclosures on June 17, 2014.

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

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

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

24 The parties are actively engaged in discovery. The deposition of the plaintiff is scheduled for
25 April 24, 2014. The parties are in the process of scheduling the deposition of Defendant Jenkins.

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

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
14 AMANDA L. MCDERMOTT
Attorneys for Defendants

15 Dated: April 8, 2014

LAW OFFICES OF GARY GORSKI

16 By: /s/ Gary Gorski

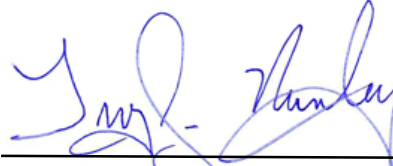
17 GARY GORSKI
18 Attorney for Plaintiff

ORDER

Pursuant to stipulation, it is ordered that the parties complete all discovery including expert discovery by October 1, 2014, and exchange Expert Witness Reports by August 1, 2014.

IT IS SO ORDERED:

Dated: April 8, 2014



Troy L. Nunley
United States District Judge

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