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12 Attorneys for Defendants, COUNTY OF BUTTE, BUTTE COUNTY SHERIFF'S OFFICE,  
 13 ANDY DUCH and JOHN KUHN

14 UNITED STATES DISTRICT COURT  
 15 EASTERN DISTRICT OF CALIFORNIA

17 MICHAEL SEARS,  
 18 Plaintiff,  
 19 v.  
 20 COUNTY OF BUTTE;  
 BUTTE COUNTY SHERIFF'S OFFICE;  
 21 ANDY DUCH;  
 JOHN KUHN; and,  
 22 DOES 1 through 100 inclusive,  
 23 Defendants.

Case No. 2:15-cv-00589-MCE-CMK

**STIPULATION AND REQUEST TO  
 CONTINUE DEADLINE FOR EXPERT  
 WITNESS DISCLOSURE; ORDER  
 THEREON**

24 Plaintiff Michael Sears and Defendants the County Of Butte, the Butte County Sheriff's  
 25 Office, Andy Duch, and John Kuhn (hereinafter collectively "Defendants"), hereby stipulate to  
 26 the following:

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1           On August 12, 2015, the Court issued a Pretrial Scheduling Order setting forth dates and  
2 deadlines for litigation events in this case. A deadline of April 12, 2017 was set for Disclosure of  
3 Expert Witnesses. The Pretrial Scheduling Order also included a trial date of February 12, 2018.

4           On or about August 10, 2016, Defendants filed a Motion for Summary Judgment. All  
5 opposition and reply papers have been submitted by the parties in relation to that motion. The  
6 last scheduled hearing on that Motion was set for January 12, 2017. On January 11, 2017, the  
7 Court issued a Minute Order vacating the January 12, 2017 hearing for the Motion for Summary  
8 Judgment. That Minute Order also vacated the February 12, 2018 trial date. As of the time of  
9 filing this stipulation, the Court has not issued an order regarding Defendant's Motion for  
10 Summary Judgment.

11           The parties hereby stipulate that, provided the Court grants its consent, the deadline for  
12 Disclosure of Expert Witnesses shall be continued until after the Court issues a ruling on  
13 Defendants' currently pending Motion for Summary Judgment. The parties believe this is  
14 warranted because, depending on the Court's ruling, certain issues and/or causes of action may no  
15 longer be at issue in the case following the ruling. Thus, the parties desire to avoid incurring the  
16 potentially unnecessary expense of retaining experts and commissioning reports concerning  
17 issues that may no longer be relevant after the issuance of the ruling.

18           For these reasons, the parties request that the Court order that the deadline for Disclosure of  
19 Expert Witnesses be continued until forty-five days after the Court issues its ruling on the  
20 currently pending Motion for Summary Judgment.

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1 IT IS SO STIPULATED.

2 Dated: March 31, 2017

PORTER SCOTT

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By: /s/

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William E. Camy  
Attorneys for Defendants COUNTY OF BUTTE;  
BUTTE COUNTY SHERIFF'S OFFICE; ANDY  
DUCH; and, JOHN KUHN

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Dated: March 31, 2017

MASTAGNI HOLSTEDT, APC

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By: /s/

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Grant A. Winter  
Attorneys for Plaintiff MICHAEL SEARS

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**ORDER**

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Having considered the parties' stipulated joint request to continue the deadline for the Disclosure of Expert Witnesses, the Court finds good cause for the continuance.

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It is ordered that the Disclosure of Expert Witnesses shall take place not later than forty-five days after the Court rules on Defendants' currently pending Motion for Summary Judgment.

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IT IS SO ORDERED.

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Dated: April 6, 2017

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MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE

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