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 9 UNITED STATES DISTRICT COURT  
 10 EASTERN DISTRICT OF CALIFORNIA

11 MICHAEL SEARS,  
 12  
 13 Plaintiff,

14 v.

15 COUNTY OF BUTTE;  
 BUTTE COUNTY SHERIFF'S OFFICE;  
 16 ANDY DUCH;  
 JOHN KUHN; and,  
 17 DOES 1 through 100 inclusive,  
 18 Defendants.

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

**STIPULATED ORDER TO SHORTEN  
 TIME ON HEARING REGARDING  
 DISCOVERY DISAGREEMENTS**

19 **STIPULATION AND REQUEST FOR ORDER SHORTENING TIME**

20 Defendants County of Butte, Butte County Sheriff's Office, Andy Duch and John Kuhn  
 21 ("Defendants") and Plaintiff Michael Sears ("Plaintiff"), hereby stipulate to waive the twenty-  
 22 one-day notice period regularly required for motions dealing with discovery matters (Local Rule  
 23 251(a)), and hereby request that the Court issue an order shortening time for a hearing on certain  
 24 currently pending discovery disagreements between these parties.

25 At issue are (1) Plaintiff's notice of depositions of Sheriff Kory Honea, Lieutenant Steve  
 26 Boyd, Deputy Jack Berry, Butte County District Attorney Mike Ramsey, and Butte County  
 27 Counsel Bruce Alpert; and (2) Defendants' notice of the deposition of Plaintiff Mike Sears. The  
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1 parties have met and conferred at length as to whether each of the foregoing depositions should  
2 be permitted. The parties have also worked together and substantially completed a Joint  
3 Statement Regarding Discovery Dispute, which will be ready to file very shortly should the Court  
4 grant this request to shorten time.

5 In essence, the Plaintiff and the Defendants each seek orders compelling the depositions  
6 their own side set and preventing the depositions the other side set. Specifically, and for reasons  
7 set forth in the parties' Joint Statement Regarding Discovery Dispute, the parties seek relief as  
8 follows:

9 Plaintiff Sears seeks orders compelling the depositions of Sheriff Kory Honea, Lieutenant  
10 Steve Boyd, Deputy Jack Berry, Butte County District Attorney Mike Ramsey, and Butte County  
11 Counsel Bruce Alpert, and an order denying the Defendants' requests to prevent those depositions  
12 from going forward. Plaintiff Sears also seeks an order preventing the Defendants from taking  
13 Sears' deposition and an order denying the Defendants' request to compel his deposition to go  
14 forward.

15 Defendants seek an order compelling the deposition of Mr. Sears to go forward, and an  
16 order denying Mr. Sears' request to prevent his deposition from occurring. Defendants also seek  
17 orders preventing the depositions of Sheriff Kory Honea, Lieutenant Steve Boyd, Deputy Jack  
18 Berry, Butte County District Attorney Mike Ramsey, and Butte County Counsel Bruce Alpert  
19 from going forward, and denying Sears' requests for orders compelling those depositions to go  
20 forward.

21 The parties have stipulated and agree to waive the regular notice period for a noticed  
22 motion. Pursuant to instructions and availability provided by Judge Kellison's Chambers, the  
23 parties are available for a hearing on June 7, 2018 at 10:00 AM, and will submit their Joint  
24 Statement not later than June 6, 2018 at 10:00AM.

25 On or about March 30, 2018, this case was re-opened for limited discovery until June 15,  
26 2018. The Parties have diligently pursued their discovery efforts since the re-opening of  
27 discovery, but due to the limited time period that discovery has been reopened, the Parties have  
28 not been able to resolve these disputes without resorting to a request to shorten time for these

