

1 Carol A. Wieckowski, Esq. (SBN 95586)
 2 Cathleen J. Fralick, Esq. (SBN 146378)
 3 EVANS, WIECKOWSKI, WARD &
 4 SCOFFIELD, LLP
 5 745 University Avenue
 6 Sacramento, CA 95825
 7 Telephone: (916)923-1600
 8 Attorneys for Defendants
 9 Rocklin Unified School District,
 10 Charles Thibideau, Betty Jo Wessinger,
 11 Janna Cambra, Kevin Brown, Roger Stock
 12 And Dr. Todd Cutler
 13 Public Entity-Employees– Filing Fees Waived

14 Mark O’Dea/Natasha Langenfeld
 15 Longyear, O’Dea & Lavra, LLP
 16 3620 American River Drive, Suite 230
 17 Sacramento CA 95864
 18 T: 974-8500 ext. 111 F: 974-8510
 19 Attorneys for Defendant Sherry McDaniel

Peter W. Alfert (SBN 83139)
 LAW OFFICES OF PETER ALFERT, APC
 200 Pringle Ave, Suite 450
 Walnut Creek, CA 94596
 Telephone: (925) 279-3009
 Facsimile: (925) 279-3342
 Attorneys for Plaintiffs
 Todd Boley (SBN 68119)
 Zoya Yarnykh (SBN 258062)
 LAW OFFICES OF TODD BOLEY
 2381 Mariner Square Dr., Ste. 280
 Alameda, CA 94501
 Telephone: (510) 836-4500
 Facsimile: (510) 649-5170
 Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION

16 JENNIFER HUGUNIN, PATRICK) **CASE 2:15-cv-00939-MCE-DAD**
 17 HUGUNIN, D.H., a minor by and through)
 18 his guardian ad litem JENNIFER HUGUNIN;) **Stipulation and Order Re: Revising**
 19 KEITH CALDWELL, NICOLE HILL,) **Pretrial Scheduling Order**
 20 X.C. a minor by and through his guardian ad)
 21 litem KEITH CALDWELL; TRISHIA PITTS,)
 22 CARL PITTS, N.P., a minor by and through)
 23 his guardian ad litem TRISHIA PITTS;)
 24 TODD VROOMAN, LAURA VROOMAN,)
 25 S.V., a minor by and through his guardian)
 26 ad litem TODD VROOMAN; RICHARD)
 27 ROGERS, TERRILL ROGERS, P.R., a minor)
 28 by and through his guardian ad litem)
 RICHARD ROGERS; MICHELLE)
 MANCOUR and G.I., a minor by and)
 through his guardian ad litem MICHELLE)
 MANCOUR; AYRELLA OSBY, B.E., a)
 minor by and through his guardian ad litem)
 AYRELLA OSBY; MELISSA GUIDERA,)
 T.G., a minor by and through his guardian)
 ad litem MELISSA GUIDERA; DANYELLE)

1 ELLIS; GREGORY TODD ELLIS, AND)
 2 A.E., a minor by and through his guardians)
 3 ad litem DANYELLE ELLIS and GREGORY)
 4 TODD ELLIS, Plaintiffs,)
 5)
 6 vs.)
 7)
 8 ROCKLIN UNIFIED SCHOOL DISTRICT,)
 9 SHERRY MCDANIEL, CHARLES)
 10 THIBIDEAU, BETTY JO WESSINGER,)
 11 JANNA CAMBRA, KEVIN BROWN,)
 12 ROGER STOCK, DR. TODD CUTLER,)
 13 and Does 1-30, Inclusively, Defendants.)
 14)

15 This Stipulation is entered into by and between Plaintiffs AYRELLA OSBY, B.E., a
 16 minor by and through his guardian ad litem AYRELLA OSBY; MELISSA GUIDERA, T.G., a
 17 minor by and through his guardian ad litem MELISSA GUIDERA; DANYELLE ELLIS;
 18 GREGORY TODD ELLIS, AND A.E., a minor by and through his guardians ad litem
 19 DANYELLE ELLIS and GREGORY TODD ELLIS by and through their counsel Peter W.
 20 Alfert of the Law Offices of Peter Alfert, APC and Todd Boley and Zoya Yarnykh of the Law
 21 Offices Of Todd Boley and Defendants ROCKLIN UNIFIED SCHOOL DISTRICT, CHARLES
 22 THIBIDEAU, BETTY JO WESSINGER, JANNA CAMBRA, KEVIN BROWN, ROGER
 23 STOCK, DR. TODD CUTLER by and through their counsel Carol A. Wieckowski of Evans
 24 Wieckowski Ward & Scoffield, LLP and Defendant SHERRY MCDANIEL by and through her
 25 counsel Greg O’Dea and Mark O’Dea of Longyear, O’Dea & Lavra, LLP.

26 The parties to this action hereby stipulate, by and through their respective undersigned
 27 counsel of record, as follows:

28 WHEREAS, the claims of the original Plaintiff parties Hugunin, Caldwell, Pitts,
 Vrooman, Rogers and Mancour have settled and this case proceeds forward on the claims of the
 “new” party Plaintiffs AYRELLA OSBY, B.E., a minor by and through his guardian ad litem

1 AYRELLA OSBY; MELISSA GUIDERA, T.G., a minor by and through his guardian ad litem
2 MELISSA GUIDERA; DANYELLE ELLIS; GREGORY TODD ELLIS, AND A.E., a minor by
3 and through his guardians ad litem DANYELLE ELLIS and GREGORY TODD ELLIS pursuant
4 to the First Amended Complaint filed February 13, 2017, modified on February 14, 2017 (Doc
5 108).
6

7 WHEREAS, the Pretrial Scheduling Order (Doc 40) was previously modified on June 30,
8 2016 (Doc 91), modified again on January 6, 2017 (Doc 105) and lastly on July 10, 2017,
9 pursuant to Defendants' Motion (Doc 125) that all discovery with the exception of expert
10 discovery, shall be completed by September 8, 2017, all counsel are to designate in writing, file
11 with the court and served upon all other parties the name, address and area of expertise of each
12 expert that they propose to tender at trial by November 30, 2017, and that all other dates in the
13 Pretrial Status Order remain unchanged (Docket 133). There is no trial date.
14

15 WHEREAS, the parties have initiated settlement discussions and wish to proceed to
16 formal mediation on December 18, 2017. The current Expert Disclosure deadline is November
17 30, 2017. The parties, in light of the ongoing settlement discussions and mediation hearing,
18 stipulate to continue to the Expert Disclosure deadline accordingly, 45 days after mediation on
19 February 1, 2018, should the case not resolve in its entirety.
20

21 WHEREAS, the PTSO did not address expert rebuttal reports which the parties stipulate
22 to be due 30 days after expert disclosure on March 5, 2018.
23

24 WHEREAS, the parties stipulate that the close of expert discovery be six weeks after the
25 disclosure of expert rebuttal reports on April 16, 2018, to complete expert discovery including
26 depositions.
27

28 WHEREAS, the current last day to hear dispositive motions is February 28, 2018 (Doc

1 123), the parties, in light of the pending settlement discussions and continuance of expert
2 disclosures and discovery, stipulate to continue the last day to hear dispositive motions to 11
3 weeks after the close of expert discovery on July 2, 2018, motions to be filed no later than May
4 7, 2018, oppositions are due June 18, 2018 and Defendants' replies are due June 25, 2018.
5

6 The parties therefore respectfully request that the court enter a revised pretrial scheduling
7 order reflecting those dates.

8 **IT IS SO STIPULATED:**

9 Dated: November 7, 2017

10 Law Offices of Todd Boley

11 By: /s/ Todd Boley
12 Todd Boley, Attorney for Plaintiffs

13 Dated: November 7, 2017

14 Law Offices of Peter Alfert

15 By: /s/ Peter W. Alfert
16 Peter W. Alfert, Attorney for Plaintiffs

17 Dated: November 7, 2017

18 Evans Wieckowski Ward & Scoffield, LLP

19 By: /s/ Carol A. Wieckowski
20 Carol A. Wieckowski, Attorney for Defendants
21 Rocklin Unified School District, Charles
Thibideau, Betty Jo Wessinger, Janna Cambra,
Kevin Brown, Roger Stock and Dr. Todd Cutler

22 Dated: November 7, 2017

23 Longyear, O'Dea & Lavra, LLP

24 By: /s/ Mark O'Dea
25 Mark O'Dea, Attorney for
26 Defendant Sherry McDaniel

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1 **ORDER**

2 Pursuant to the stipulation of the parties, and good cause appearing, it is hereby ordered
3 as follows:

4 Expert Disclosures deadline is continued to February 1, 2018.

5 Expert Rebuttal Reports are due March 5, 2018.

6 Close of Expert Discovery is April 16, 2018.

7 Last day to file dispositive motions is May 7, 2018.

8 Last day to file replies to oppositions is June 25, 2018.

9 Last day to hear dispositive motions is July 2, 2018.

10 **IT IS SO ORDERED.**

11 **Dated: November 8, 2017**

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16 MORRISON C. ENGLAND, JR.
17 UNITED STATES DISTRICT JUDGE
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