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5 Attorneys for Plaintiff
 6 EARL THOMAS

7 ** Defendants' counsel listed after the caption*

8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

11 EARL THOMAS,
 12 Plaintiff,
 13 v.

14 SACRAMENTO COUNTY; SACRAMENTO
 COUNTY SHERIFF'S DEPUTIES S.
 15 DANIELS, FIDLER AND SERGEANT
 McKERSEY; SERG KEREZ; 99 CENTS
 16 ONLY STORES, LLC; and DOES 1-20,
 17 INCLUSIVE,
 18 Defendants.

Case No. 2:15-cv-01952-TLN-EFB

**STIPULATION AND ORDER
 CONTINUING ALL DEADLINES AND
 TRIAL DATE**

**ORDER MODIFIED FROM
 SUBMITTED VERSION**

19 LONGYEAR, O'DEA & LAVRA, LLP
 John A. Lavra, CSB No. 114533
 20 Kelley S. Kern, CSB No. 221265
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 21 Sacramento, CA 95864
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22 Attorneys for Defendants
 23 COUNTY OF SACRAMENTO,
 DEPUTY S. DANIELS, DEPUTY FIDLER,
 24 and SERGEANT McKERSIE (erroneously sued as Sergeant McKERSEY)

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1 ANDREW S. PAULY (SBN 90145)
2 RICHARD G. STOLL (SBN 222442),
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10 Attorneys for Defendants
11 99 CENTS ONLY STORES LLC
12 and SERG KEREZ

13 Plaintiff EARL THOMAS (“Plaintiff”) and Defendants SACRAMENTO COUNTY;
14 SACRAMENTO COUNTY SHERIFF’S DEPUTIES S. DANIELS, FIDLER AND SERGEANT
15 McKERSIE (“County Defendants”); and SERG KEREZ and 99 CENTS ONLY STORES LLC
16 (“99 Cents Defendants”); by and through their respective attorneys, hereby jointly stipulate and
17 respectfully request continuance of the January 27, 2020 trial date and all associated pretrial case
18 deadlines. This second request for an extension of time is based on the following good cause:

- 19 1. Plaintiff’s counsel filed a Motion to Withdraw as counsel in this matter on May 17,
20 2018. Dkt. No. 51. That Motion is still pending before the Court.
- 21 2. As stated in the Motion, due to the significant breakdown in the attorney-client
22 relationship, Plaintiff and his counsel are unable to move forward with the case
23 including conducting and responding to discovery.
- 24 3. The deadline to complete discovery in this matter is currently January 25, 2019; the
25 Parties need additional time to conduct discovery in this matter. Dkt. No. 50. In
26 light of the pending Motion to Withdraw as Counsel, Plaintiff’s counsel would like
27 to limit any potential prejudice to Plaintiff as much as possible by giving him
28 sufficient time to prepare his case.

Based on the foregoing, the parties jointly stipulate and request that the Court continue all
case deadlines by three months, including continuing the trial date from January 27, 2020, to April
27, 2020, and request continuing the associated case deadlines as follows:

1 Fact discovery cut-off: April 26, 2019
2 Expert disclosure: June 28, 2019
3 Expert rebuttal: July 18, 2019
4 Expert discovery cut-off: August 16, 2019
5 Hearing of dispositive motions: December 5, 2019
6 Joint pretrial conference statement: February 6, 2020
7 Pretrial conference: February 13, 2020
8 Trial briefs: April 13, 2020
9 Trial: April 27, 2020

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Dated: September 10, 2018 LAW OFFICES OF PAUL L. REIN.

By /s/ Paul L. Rein
PAUL L. REIN
Attorneys for Plaintiff
EARL THOMAS

Dated: September 10, 2018 LONGYEAR, O'DEA & LAVRA, LLP

By /s/ Kelley S. Kern
KELLEY S. KERN
Attorneys for Defendants
COUNTY OF SACRAMENTO,
SHERIFF SCOTT R. JONES, DEPUTY S.
DANIELS, DEPUTY FIDLER, and DEPUTY
McKERSIE (erroneously sued as Cpl. McKERSEY)

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Dated: September 10, 2018

SHORELINE, A Law Corporation

By /s/ Richard G. Stoll
RICHARD G. STOLL
Attorneys for Defendants
99 CENTS ONLY STORES LLC
and SERG KEREZ

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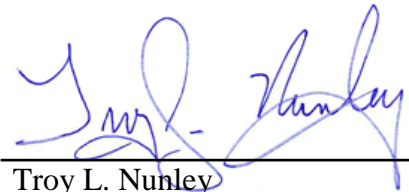
ORDER

Pursuant to the parties' stipulation, it is hereby ordered that the deadlines are reset as follows:

- Fact discovery cut-off: April 26, 2019
- Expert disclosure: June 28, 2019
- Expert rebuttal: July 18, 2019
- Hearing of dispositive motions: December 5, 2019
- Joint pretrial conference statement: February 13, 2020**
- Pretrial conference: February 20, 2020, at 2:00 PM**
- Trial: April 27, 2020, at 9:00 AM**

IT IS SO ORDERED.

Dated: September 10, 2018



Troy L. Nunley
United States District Judge