

1 PAUL L. REIN, Esq. (SBN 43053)
 2 AARON M. CLEFTON (State Bar No. 318680)
 3 REIN & CLEFTON, Attorneys at Law
 4 200 Lakeside Drive, Suite A
 5 Oakland, CA 94612
 Telephone: 510/832-5001
 Facsimile: 510/832-4787
 info@reincleftonlaw.com

6 Attorneys for Plaintiff
 7 EARL THOMAS

8 * *Defendants' counsel listed after the caption*

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

11 EARL THOMAS,
 12
 13 Plaintiff,
 14
 15 v.

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

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

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

19 LONGYEAR, O'DEA & LAVRA, LLP
 20 John A. Lavra, CSB No. 114533
 21 Kelley S. Kern, CSB No. 221265
 22 3620 American River Drive, Suite 230
 Sacramento, CA 95864
 Tel: 916-974-8500 Fax: 916-974-8510
 23 Attorneys for Defendants
 24 COUNTY OF SACRAMENTO,
 25 DEPUTY S. DANIELS, DEPUTY FIDLER,
 and SERGEANT McKERSIE (erroneously sued as Sergeant McKERSEY)

26 //

27 //

28

1 ANDREW S. PAULY (SBN 90145)
2 RICHARD G. STOLL (SBN 222442),
3 SHORELINE, A Law Corporation
4 1299 Ocean Avenue, Suite 400
5 Santa Monica, California 90401-1007
6 Telephone: (310) 451-8001
7 Facsimile: (310) 395-5961

8 apauly@shoreline-law.com
9 rstoll@shoreline-law.com

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 April 27, 2020, trial date and all associated pretrial case
18 deadlines. This third 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 April 26, 2019; the
25 Parties need additional time to conduct discovery in this matter. Dkt. No. 55. 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 five months, including continuing the trial date from April 27, 2020, to
September 28, 2020, and request continuing the associated case deadlines as follows:

1 Fact discovery cut-off: September 25, 2019
2 Expert disclosure: November 22, 2019
3 Expert rebuttal: December 13, 2019
4 Hearing of dispositive motions: May 7, 2020
5 Joint pretrial conference statement: July 16, 2020
6 Pretrial conference: July 23, 2020
7 Trial: September 28, 2020
8

9 Dated: March 28, 2019 REIN & CLEFTON

10
11 By /s/ Aaron Clefton
12 AARON CLEFTON
13 Attorneys for Plaintiff
14 EARL THOMAS

15 Dated: March 28, 2019 LONGYEAR, O'DEA & LAVRA, LLP

16
17
18 By /s/ Kelley S. Kern
19 KELLEY S. KERN
20 Attorneys for Defendants
21 COUNTY OF SACRAMENTO,
22 SHERIFF SCOTT R. JONES, DEPUTY S.
23 DANIELS, DEPUTY FIDLER, and DEPUTY
24 McKERSIE (erroneously sued as Cpl. McKERSEY)

25 Dated: March 28, 2019 SHORELINE, A Law Corporation

26
27 By /s/ Richard G. Stoll
28 RICHARD G. STOLL
Attorneys for Defendants
99 CENTS ONLY STORES LLC
and SERG KEREZ

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

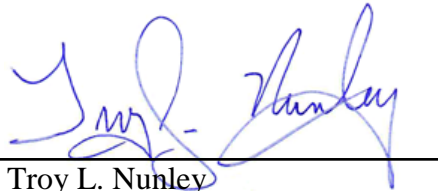
ORDER

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

- Fact discovery cut-off: September 25, 2019
- Expert disclosure: November 22, 2019
- Expert rebuttal: December 13, 2019
- Hearing of dispositive motions: May 14, 2020**
- Joint pretrial conference statement: July 16, 2020**
- Pretrial conference: July 23, 2020, at 2:00 PM**
- Trial: September 28, 2020, at 9:00 AM**

IT IS SO ORDERED.

Dated: March 28, 2019



Troy L. Nunley
United States District Judge