

1 RICHARD M. ROGERS, State Bar No. 045843
 LAW OFFICE OF RICHARD M. ROGERS
 2 100 Bush Street, #1980
 San Francisco, CA 94104
 3 Telephone: (415) 981-9788
 Fax: (415) 981-9788
 4 E-mail: RogersRMR@yahoo.com
Attorneys for Plaintiff
 5 *Dev Patel*

6 XAVIER BECERRA, State Bar No. 118517
 Attorney General of California
 7 JUDITH A. RECCHIO, State Bar No. 163060
 Supervising Deputy Attorney General
 8 JERRY J. DESCHLER, State Bar No. 215691
 Deputy Attorney General
 9 1300 I Street, Suite 125
 P.O. Box 944255
 10 Sacramento, CA 94244-2550
 Telephone: (916) 323-3830
 11 Fax: (916) 324-5567
 E-mail: Jerry.Deschler@doj.ca.gov
 12 *Attorneys for Defendants*
 13 *California Department of Public Health and*
Department of Toxic Substances Control

14
 15 IN THE UNITED STATES DISTRICT COURT
 16 FOR THE EASTERN DISTRICT OF CALIFORNIA
 17 SACRAMENTO DIVISION

19 **DEV PATEL,**

20 Plaintiff,

21 v.

23 **STATE OF CALIFORNIA,**

24 Defendant.

2:15-cv-02471-KJN

STIPULATION REGARDING DEPOSITIONS;

ORDER THEREON

Judge: Kendall J. Newman
 Action Filed: 11/30/2015

26 Plaintiff Dev Patel (“Plaintiff”) and Defendants California Department of Public Health and
 27 Department of Toxic Substances Control (collectively, “Defendants”), through their respective
 28 counsel of record, hereby stipulate as follows:

1 WHEREAS counsel for Defendants took the deposition of Plaintiff on November 1, 2016
2 for approximately six hours;

3 WHEREAS Defendants requested at the outset of this case for an additional day for
4 Plaintiff's deposition above the seven-hour limit imposed by Federal Rules of Civil Procedure,
5 Rules 26(b)(2)(A) and 30(d)(1) due to the extensive factual allegations and claims at issue in this
6 case, and the unusual volume of documentary evidence produced by the parties;

7 WHEREAS counsel for Plaintiff will have deposed a total of nine witnesses by June 20, 2017;
8 and

9 WHEREAS Plaintiff requests to depose an additional eight witnesses (Brian Barrick, Monica
10 Wilson-Pough, Kathleen Elizondo, Mandeep Sohi, Nicole Preston, Rebecca Vasquez, Joesette Rigby-
11 Brokenbough, and Diana Guzman), exceeding the rule of ten depositions per side permitted by
12 Federal Rules of Civil Procedure, Rules 26(b)(2)(A) and 30(a)(2)(A).

13 Consequently, Plaintiff and Defendants stipulate and agree as follows:

14 Plaintiff agrees to the requested additional time to depose Plaintiff, provided counsel for
15 Defendants diligently uses reasonable efforts to conduct the deposition efficiently and agrees that
16 Defendants will not request additional time to complete Plaintiff's deposition absent exceptional
17 unforeseen circumstances; and

18 Defendants agree to the additional depositions enumerated above provided Plaintiff agrees to
19 use reasonable efforts to conduct the depositions efficiently and agrees that Plaintiff will not request
20 additional depositions absent exceptional unforeseen circumstances.

21 ///

22 ///

23 ///

24

25

26

27

28

1 IT IS SO STIPULATED.

2

3 Dated: June 16, 2017

Respectfully submitted,

4

/s/ Richard M. Rogers

5

LAW OFFICE OF RICHARD M. ROGERS

6

RICHARD M. ROGERS

Attorneys for Plaintiff Dev Patel

7

Dated: June 16, 2017

Respectfully submitted,

8

XAVIER BECERRA

9

Attorney General of California

10

JUDITH A. RECCHIO

Supervising Deputy Attorney General

11

/s/ Jerry J. Deschler

12

JERRY J. DESCHLER

Deputy Attorney General

13

Attorneys for Defendants

*California Department of Public Health and
Department of Toxic Substances Control*

14

15

ORDER

16

Having reviewed the parties' stipulation, and good cause appearing therefore,

17

IT IS HEREBY ORDERED:

18

Defendants are permitted to take the deposition of Plaintiff for an additional seven hours

19

beyond the limit imposed by Federal Rules of Civil Procedure, Rules 26(b)(2)(A) and 30(d)(1); and

20

Plaintiff is permitted to depose an additional eight witnesses (Brian Barrick, Monica Wilson-

21

Pough, Kathleen Elizondo, Mandeep Sohi, Nicole Preston, Rebecca Vasquez, Josette Rigby-

22

Brokenbough, and Diana Guzman), exceeding the rule of ten depositions per side permitted by

23

Federal Rules of Civil Procedure, Rules 26(b)(2)(A) and 30(a)(2)(A).

24

Dated: June 19, 2017

25



26

KENDALL J. NEWMAN

27

UNITED STATES MAGISTRATE JUDGE

28