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CITY OF MANTECA, ARMANDO GARCIA, RANCH  
7 JOHNSON, KIRK DOTY, MIKE KEENER, IAN  
OSBORN, ARMEN AVAKIAN, PAUL CARMONA and  
8 CHRIS S. MRAZ

9  
10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF CALIFORNIA  
12 SACRAMENTO COURTHOUSE

13 JOANNE BLIGHT,

14 Plaintiff,

15 v.

16 CITY OF MANTECA, a Municipal  
Corporation, Manteca Police Department  
17 Detectives ARMANDO GARCIA,  
Individually, RANCH JOHNSON,  
18 Individually, KIRK DOTY, Individually,  
MIKE KEENER, Individually, IAN  
19 OSBORN, Individually, and ARMEN  
AVAKIAN, Individually, Manteca Police  
20 Department Sergeants PAUL CARMONA  
and CHRIS S. MRAZ, in their Individual  
21 and Supervisory capacities, and DOES 1  
THROUGH 60, Jointly and Severally,

22 Defendants.  
23

Case No.: 2:15-cv-02513-WBS-AC

**STIPULATION RE: TRIAL AND RELATED  
DEADLINES; [~~PROPOSED~~] ORDER**

24 **TO THE CLERK OF THE COURT, ALL PARTIES, AND THEIR ATTORNEYS**

25 **OF RECORD:**

26 Plaintiff JOANNE BLIGHT (“Plaintiff”) and Defendants CITY OF MANTECA,  
27 ARMANDO GARCIA, IAN OSBORN, CHRIS MRAZ, PAUL CARMONA, KIRK DOTY,  
28 RANCH JOHNSON, MIKE KEENER, and ARMEN AVAKIAN (“Defendants”) hereby

1 respectfully request continuation of the trial date and certain pre-trial related deadlines in this  
2 Case.<sup>1</sup>

3 On March 22, 2016, the Court set the following case-related deadlines: expert disclosure  
4 (September 13, 2016); rebuttal disclosure (October 4, 2016); discovery deadline (January 10,  
5 2017); dispositive motion filing deadline (May 8, 2017); and trial (July 11, 2017). (Dkt. No. 8).  
6 On September 13, 2016, after the parties had already engaged in extensive discovery, but had  
7 been held up in concluding some matters due to various logistical delays due to the various  
8 schedules involved, the disclosure deadlines were extended: expert disclosure (November 8,  
9 2016) and rebuttal disclosure (November 29, 2016). (Dkt. No. 12). On November 9, 2016, the  
10 disclosure deadlines were extended a second time: expert disclosure (November 22, 2016) and  
11 rebuttal disclosure (December 13, 2016). (Dkt. No. 28). On December 12, 2016, as a result of the  
12 complex issues involved and the ongoing litigation involving discovery, the discovery deadline  
13 was extended (January 10, 2017). (Dkt No. 35). On February 8, 2017, the discovery deadline was  
14 extended a second time (February 22, 2017). (Dkt. No. 53).

15 The parties have diligently litigated this Case. They have completed multiple rounds of  
16 written discovery, taken thirteen depositions (including all of the parties), and disclosed experts.  
17 Further, in light of the evidence adduced in discovery, the parties are meeting-and-conferring in  
18 good-faith to streamline the case (by, among other things, dismissing certain defendants), in order  
19 to minimize dispositive motion practice later on.

20 This Case involves a search warrant where Manteca police utilized a confidential  
21 informant. That informant has become a significant issue. On November 2, 2016, pursuant to  
22 Plaintiff's motion to compel, the Magistrate Court ordered disclosure of the sealed state-court  
23 warrant affidavit and permitted re-deposition of certain Manteca officers regarding the affidavit  
24 and what the informant told them. (Dkt. Nos. 26 and 32). Those second depositions occurred on  
25

26 <sup>1</sup> The parties understand the magistrate is empowered to change all case-related deadlines, save  
27 for the trial date (Dkt. 8, 5:11-16). Because the parties are requesting continuation of various  
28 deadlines (including the trial date), they sought judicial economy by filing one stipulation. If the  
Court would like two requests (trial date to the Court; all other dates to the Magistrate Court) the  
parties will do so."

1 December 20, 2016. On February 10, 2017, pursuant to Plaintiff's second motion to compel, the  
2 Magistrate Court ordered the deposition of the confidential informant. (Dkt. No. 55). Unless the  
3 informant will voluntarily appear, Defendants have been ordered to disclose the informant's name  
4 and address (for service of a subpoena). (*Id.*) The deposition of the informant has been an issue  
5 that the parties have been aware of and discussing since even prior to the first motion to compel  
6 hearing, on November 2, 2016; however, it was not possible to litigate that issue until February  
7 10, 2017. In light of the outcome of that litigation, the parties now require sufficient time to  
8 complete that deposition, and require sufficient time to obtain any relief from the Court regarding  
9 any disagreements that may arise concerning that deposition, should the need arise. Accordingly,  
10 the parties stipulate below to an extension of the discovery cutoff for the sole purpose of  
11 completing the deposition of the informant, while all other discovery remains closed.

12 Despite the parties' diligence, good-faith and best efforts, the difficulty with scheduling  
13 issues (including the various depositions and discovery hearings) and, in general, the challenges  
14 above have made it now impossible to keep the case on it track for the current schedule. With  
15 summary judgment motions due March 7, 2017, the parties do not believe there is sufficient time  
16 to complete the informant's deposition and prepare dispositive motions. Defendants' counsel has  
17 also been in trial off-and-on since last Monday, February 6th; trial is expected to run through  
18 Thursday, February 23rd. Additionally, the undersigned Plaintiff's counsel will be out of town for  
19 two weeks at the end of March and then will be in a 15-day+ trial that starts in the middle of  
20 April, so identifying mutually agreeable dates for dispositive motions, while keeping the same  
21 Pre-Trial Conference date, is not possible.

22 The parties have met-and-conferred extensively -- attempting to find an alternative filing  
23 deadline while still keeping the current Pre-Trial Conference and Trial dates -- but were unable to  
24 do so. There are unsolvable scheduling conflicts.

25 Based on the foregoing circumstances, by and through their respective counsel of record,  
26 the parties hereby stipulate, and respectfully request that the Scheduling Order in this action be  
27 amended, as follows:

28 1. That the current **discovery cutoff** of February 22, 2017 (extended by two weeks from

1 February 8, *See* Dkt. 53) be extended for the sole purpose of completing the deposition of the  
2 confidential informant, as set forth in the Order dated February 9, 2017 (filed February 10, 2017)  
3 (Dkt. 55), until June 6, 2017, which includes obtaining any enforcement orders, and which means  
4 that all such **discovery shall be completed by June 6, 2017**; all other discovery shall remain  
5 closed after discovery closes on February 22, 2017;

6 2. That the **dispositive motion filing deadline** be continued from March 7, 2017 to **June 20,**  
7 **2017**;

8 3. That the **pretrial conference** be continued from May 8, 2017 to **August 28, 2017**  
9 **at 1:30 p.m.**; and,

10 4. That the **jury trial** date be continued from July 11, 2017 to **October 17, 2017 at**  
11 **9:00 a.m.**

12  
13 Respectfully submitted,

14 Dated: February 21, 2017

LAW OFFICES OF SANJAY S. SCHMIDT

15  
16 By: /s/ Sanjay S. Schmidt  
SANJAY S. SCHMIDT  
Attorneys for Plaintiff  
JOANNE BLIGHT

17  
18 Dated: February 21, 2017

ALLEN, GLAESSNER,  
HAZELWOOD & WERTH, LLP

19  
20 By: /s/ Kevin P. Allen  
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22 MIKE KEENER, IAN OSBORN, ARMEN  
23 AVAKIAN, PAUL CARMONA and CHRIS  
24 S. MRAZ

25 **PURSUANT TO THE FOREGOING STIPULATION, IT IS SO ORDERED.**

26 **Dated: February 21, 2017**

27 

28 **WILLIAM B. SHUBB**  
**UNITED STATES DISTRICT JUDGE**