

1 BENJAMIN A. EMMERT, (SBN 212157)  
bemmert@littler.com  
2 HECTOR J. RODRIGUEZ, (SBN 305446)  
hjdiaz@littler.com  
3 LITTLER MENDELSON, P.C.  
50 W. San Fernando, 15th Floor  
4 San Jose, CA 95113.2303  
Telephone: 408.998.4150  
5 Fax: 408.288.5686

6 Attorney for Defendant  
NATIONAL RAILROAD PASSENGER  
7 CORPORATION ("AMTRAK")

8 Clayeo C. Arnold, Esq., SBN 65070  
Anthony J. Poidmore, Esq., SBN 51346  
9 Joshua H. Watson, Esq., SBN 238058  
CLAYEO C. ARNOLD  
10 A Professional Law Corporation  
865 Howe Avenue  
11 Sacramento, CA 95825  
Telephone: (916) 924-3100  
12 Facsimile: (916) 924-1829

13 Attorneys for Plaintiff  
LENARD R. MATTHEWS, SR.

14 UNITED STATES DISTRICT COURT  
15 EASTERN DISTRICT OF CALIFORNIA  
16

17 LENARD R. MATTHEWS, SR.,

18 Plaintiff,

19 v.

20 AMTRAK NATIONAL RAILROAD  
PASSENGER CORPORATION, and  
21 DOES 1 through 25, inclusive,

22 Defendants.  
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Case No. 2:16-cv-00959-TLN-EFB

**STIPULATION AND ORDER TO  
CONTINUE DISPOSITIVE MOTION  
DEADLINE**

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Case No. 2:16-cv-00959-TLN-EFB

1 IT IS HEREBY STIPULATED, by and between Defendant NATIONAL  
2 RAILROAD PASSENGER CORPORATION ("AMTRAK" or "Defendant") and Plaintiff  
3 LENARD R. MATTHEWS, SR. ("MATTHEWS" or "Plaintiff"), (collectively referred to as "the  
4 Parties") as follows:

5 WHEREAS, pursuant to the Court's Pretrial Scheduling Order on January 20, 2017  
6 [Dkt. 13], pre-trial deadlines are as follows:

7 • Fact discovery cut-off was on May 18, 2017;  
8 • Expert disclosures were due on July 13, 2017;  
9 • Rebuttal expert disclosures were due 20 days after designation of expert  
10 witnesses;

11 • Dispositive motions are set for November 16, 2017;  
12 • Final pretrial conference is set for February 8, 2018 and  
13 • Trial is set to commence on April 16, 2018;

14 WHEREAS, the Parties have completed written discovery;

15 WHEREAS, despite their best efforts, the Parties have been unable to complete all  
16 the necessary depositions, as Plaintiff and/or his counsel are unavailable to complete such  
17 depositions until early November 2017;

18 WHEREAS, pursuant to Federal Rule of Civil Procedure 16(b)(4), the Court may  
19 modify a scheduling order where good cause is present; and

20 WHEREAS, in order to complete the necessary depositions, the Parties jointly  
21 request that the dispositive motion deadline be extended.

22 THEREFORE IT IS HEREBY STIPULATED by and between the Parties, through  
23 their respective counsel, that the Parties jointly request that the Court continue the deadline set forth  
24 in the Court's Order [Dkt. 13] by extending the following deadline:

25 • Deadline to file dispositive motions to November 30, 2017 with hearing to be  
26 held on January 11, 2018.

27 The dates for the Parties' Final Pre-Trial Conference and Trial shall remain  
28 unchanged.

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**IT IS SO STIPULATED.**

Dated: October 16, 2017

Respectfully Submitted,

/s/ Hector J. Rodriguez  
BENJAMIN A. EMMERT  
HECTOR J. RODRIGUEZ  
LITTLER MENDELSON, P.C.  
Attorneys for Defendant  
NATIONAL RAILROAD PASSENGER  
CORPORATION (“AMTRAK”)

Dated: October 16, 2017

Respectfully Submitted

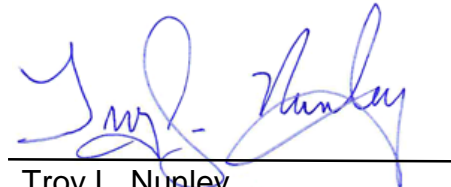
/s/ Matt Vandall  
CLAYEO C. ARNOLD  
ANTHONY J. POIDMORE  
JOSHUA H. WATSON  
MATT VANDALL  
CLAYEO C. ARNOLD  
A Professional Law Corporation  
Attorneys for Plaintiff  
LENARD R. MATTHEWS, SR.

**ORDER**

The court, having considered the Parties' stipulation to continue discovery and dispositive motion deadlines, hereby orders that the deadline to file a dispositive motion to November 30, 2017, with the hearing to be heard on January 11, 2018. The dates for the Parties' Final Pre-Trial Conference and Trial shall remain unchanged.

**IT IS SO ORDERED.**

Dated: October 17, 2017

  
Troy L. Nunley  
United States District Judge