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 7 Williams Unified School District, Public Entity

8 UNITED STATES DISTRICT COURT
 9
 10 EASTERN DISTRICT OF CALIFORNIA

11 ARMANDO RAMOS,	)	Case No. 2:16-CV-01941 JAM EFB
)	
12 Plaintiff,)	
	)	STIPULATION REGARDING
13 vs.	)	DEFENDANT’S NON-OPPOSITION TO
	)	PLAINTIFF’S MOTION TO AMEND
14 WILLIAMS UNIFED SCHOOL DISTRICT	)	AND REQUEST TO MODIFY PRE-
15 and DOES 1 through 50,	)	TRIAL SCHEDULING ORDER
	)	(DOCUMENT 8) RE (1) EXPERT
16 Defendants.	)	DISCLOSURE DEADLINE AND (2)
	)	DISCOVERY CUT-OFF;
	)	DECLARATIONS IN SUPPORT
	)	THEREOF; ORDER
)	

20 IT IS HEREBY STIPULATED by Plaintiff, ARMANDO RAMOS, by and through his
 21 attorneys, and Defendant WILLIAMS UNIFIED SCHOOL DISTRICT, by and through its
 22 attorneys, that the January 12, 2018, expert disclosure date set forth in the Court’s October 19,
 23 2016, Pre-Trial Scheduling Order (Document 8) be continued to March 12, 2018 and that the
 24 March 9, 2018, discovery cut-off deadline be continued to May 9, 2018. The parties request all
 25 other Pre-Trial Scheduling Order dates remain the same. This stipulation is based upon the
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1 following facts which the parties submit show good cause to modify the Pretrial Scheduling
2 Order:

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4 1. That on October 19, 2016, the Court issued its Pre-Trial Scheduling Order
5 (Document 8), establishing, among other things, that the last day to make expert disclosures shall
6 be January 12, 2018, and that all discovery shall be completed by March 9, 2018.

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8 2. On August 21, 2017, Daniel P. Jay left the employ of defendant's counsel Evans,
9 Wieckowski, Ward & Scoffield, LLP. Since that date, defendant's counsel James Ward has
10 diligently attempted to hire another lawyer to assist with this case and other cases. In addition,
11 on October 20, 2017, Attorney Ward's secretary, Andrea Cervantes, began a leave of absence to
12 care for her terminally ill mother. On or about December 4, 2017, defendant's counsel hired
13 attorney Eric Garner. In addition, Ms. Cervantes returned to work on December 6, 2017.
14 Accordingly, Attorney Ward had no attorney assistance from August to December 2017 and little
15 to no administrative assistance between October 20, 2017, and December 6, 2017. In large part
16 because of Mr. Jay's departure and Ms. Cervantes' absence, Defendants have been unable to
17 make arrangements to take plaintiff's deposition.
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20 3. On November 21, 2017, plaintiff filed a motion for leave to amend his complaint
21 to add a cause of action for defamation related to a statement attributed to a Dr. Dhesi which
22 plaintiff contends is false. The hearing date for the motion is January 16, 2018. Fairly soon after
23 the motion was served defense counsel reached out to plaintiff's counsel to determine plaintiff's
24 and counsel's availability for plaintiff's deposition. The parties and their counsel ultimately
25 agreed on January 25, 2018, which is nearly two weeks after the expert witness disclosure
26 deadline.
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1 4. The parties have also been trying to schedule the deposition of Dr. Dhesi. As of
2 the date this stipulation was filed, Dr. Dhesi's deposition is scheduled for January 4, 2018.

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4 5. Counsel for the parties have met and conferred vis-à-vis plaintiff's motion for
5 leave to amend. Defendant, through its counsel, has agreed to not oppose plaintiff's motion in
6 exchange for an agreement to modify the court's Pre-Trial Scheduling Order consistent with the
7 stipulation of the parties, as stated above.

8 Based upon the foregoing, the parties submit that good cause exists to modify the court's
9 Pre-Trial Scheduling Order as set forth above.
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11 IT IS SO STIPULATED.

12 Dated: December 18, 2017

EVANS, WIECKOWSKI & WARD, LLP

13
14 /s/ James K. Ward

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16 JAMES K. WARD
17 ERIC GARNER
18 Attorneys for Defendants WILLIAMS
19 UNIFIED SCHOOL DISTRICT

20 Dated: December 18, 2017

LAW OFFICES OF JILL TELFER

21
22 /s/ Jill Telfer

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24 JILL TELFER
25 Attorney for Plaintiff ARMANDO RAMOS
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1 **DECLARATION OF ERIC GARNER**

2 I, Eric Garner, do hereby declare and say the following:

3 1. I am one of the attorneys of record for the Defendants in the above-entitled action.

4 I have prepared this Declaration as evidence in support of the parties' stipulation and request to
5 this Court to continue the expert witness disclosure deadline to March 9, 2018 discovery cutoff
6 date to May 9, 2018. The facts stated in the stipulation set forth above are true and correct and
7 based upon my personal knowledge.
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9 I declare under penalty of perjury under the laws of the United States of America that the
10 facts stated above in the stipulation of the parties is true and correct. This Declaration was
11 executed on December 18, 2017 in Sacramento, California.
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13 /s/ Eric Garner
14 _____

15 **DECLARATION OF JILL TELFER**

16 I, Jill Telfer, do hereby declare and say the following:

17 1. I am the attorney of record for Plaintiff in the above-entitled action. I have
18 prepared this Declaration as evidence in support of the parties' stipulation and request to this
19 Court to continue the expert witness disclosure deadline to March 9, 2018 and discovery cutoff
20 date to May 9, 2018. The facts stated in the stipulation set forth above are true and correct and
21 based upon my personal knowledge.
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23 I declare under penalty of perjury under the laws of the United States of America that the
24 facts stated above in the stipulation of the parties is true and correct. This Declaration was
25 executed on December 18, 2017 in Sacramento, California.
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27 /s/ Jill Telfer
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2 **ORDER**

3 Based upon the stipulation of the parties and good cause appearing, the Court orders that
4 the Pre-Trial Scheduling Order is hereby modified as follows:
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6 Expert witness disclosure date is continued to March 12, 2018, and the discovery cut-off
7 date is continued to May 9, 2018. Plaintiff's motion for leave to file amended complaint is
8 hereby deemed to be un-opposed by Defendants, and the motion is ordered vacated from the
9 Court's January 16, 2018 hearing calendar.
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12 IT IS SO ORDERED.

13 Dated: 12/19/2017

14 /s/ John A. Mendez
15 UNITED STATES DISTRICT COURT JUDGE
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