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11
 12 IN THE UNITED STATES DISTRICT COURT
 13 FOR THE EASTERN DISTRICT OF CALIFORNIA

14 JUDY MUNSHOWER,

Plaintiff,

v.

16 UNITED STATES OF AMERICA,

17 Defendant.

Case No. 2:16-CV-02386-JAM-EFB

STIPULATION AND ORDER TO EXTEND
 PRETRIAL SCHEDULE DEADLINES

19
 20 IT IS HEREBY STIPULATED by and between the parties, through their respective undersigned
 21 attorneys, and upon the Court's approval, that the dates set forth in the July 19, 2017 Stipulated Order
 22 [ECF No. 15] be extended as follows:

23	Discovery cutoff:	April 30, 2018	(from January 31, 2018)
24	Dispositive motion filing:	May 29, 2018	(from March 13, 2018)
25	Dispositive hearing:	June 26, 2018	(from April 10, 2018)
26	Joint pretrial statement due:	August 7, 2018	(from May 18, 2018)
27	Final pretrial conference:	August 14, 2018	(from May 25, 2018)
28	Trial:	September 24, 2018	(from July 9, 2018)

1 In all other respects, the December 14, 2016 Status (Pretrial Scheduling) Order shall remain in effect.

2 There are three current lawsuits arising out of the same June 2013 incident at issue in this
3 underlying lawsuit: (1) a state court case (*Munshower v. City of Lodi*) filed in July 2014 that is
4 scheduled for a March 5, 2018 trial; (2) this underlying lawsuit, *Munshower v. United States*; and (3) a
5 related case, *City of Lodi v. United States*, No. 2:16-cv-2633 JAM-EFB (E.D. Cal.).

6 There is good cause to modify the pretrial schedule because counsel for the United States,
7 Assistant United States Attorney Bobbie Montoya, is retiring and December 22, 2017 is her last day in
8 the office. Undersigned defense counsel, who first appeared in the case on December 13, 2017 will be
9 taking over the representation of the United States in both federal cases. Before discovery closes,
10 undersigned defense counsel needs time to adequately review the file, which is voluminous and includes
11 extensive discovery in the state court case, including thousands of pages of written discovery and
12 approximately 20 deposition transcripts with multiple additional depositions already noticed for January
13 2018. In addition, undersigned defense counsel is traveling out of state beginning December 24, 2017
14 and returning to the office on January 8, 2018 and promptly informed all parties of her unavailability
15 upon inheriting these cases.

16 In addition, Plaintiff's state court case against the City of Lodi is scheduled for a jury trial
17 beginning March 5, 2018 and Plaintiff's counsel will be engaged in active discovery, motion practice,
18 and trial preparation through mid-late March 2018. Finally, the resolution of Plaintiff's state court case
19 may affect whether both federal cases proceed and extending the above dates may conserve the
20 resources of the parties and the Court.

21 As a result, the parties respectfully stipulate and request that the pretrial deadlines be extended as
22 outlined above. IT IS SO STIPULATED.

23 DATED: December 22, 2017

Respectfully submitted,
PHILLIP A. TALBERT
United States Attorney

/s/ Chi Soo Kim

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CHI SOO KIM
Assistant United States Attorney

27 Attorneys for Defendant United States

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2 DATED: December 27, 2017

MASTRANGELO LAW OFFICES

/s/ Nicholas J. Mastrangelo (auth'd 12/27/17)

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NICHOLAS J. MASTRANGELO

5 Attorney for Plaintiff Judy Munshower

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7 **ORDER (AS MODIFIED BY THE COURT)**

8 Finding good cause, the foregoing stipulation between the parties is hereby APPROVED. The
9 deadlines set forth in the July 19, 2017 Stipulated Order [ECF No. 15] are extended as follows:

10 Discovery cutoff: April 30, 2018

11 Dispositive motion filing: May 22, 2018

12 Dispositive hearing: June 19, 2018 at 1:30 p.m.

13 Joint pretrial statement due: August 10, 2018

14 Final pretrial conference: August 17, 2018 at 11:00 a.m.

15 Court Trial: September 24, 2018 at 9:00 a.m.

16 In all other respects, the scheduling set forth in the December 14, 2016, Status (Pretrial Scheduling)
17 Order and all of its other provisions shall remain in full force and effect.

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19 IT IS SO ORDERED.

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21 DATED: 12/28/2017

/s/ John A. Mendez _____

JOHN A. MENDEZ

United States District Court Judge