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7
8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10 GIANFRANCO RUFFINO,
11 Plaintiff,
12 v.
13 UNITED STATES OF AMERICA,
14 Defendant.

CASE NO. 2:16-CV-2719-KJM-CKD

JOINT STIPULATION TO COMBINE PHASE ONE
AND PHASE TWO DISCOVERY AND
[PROPOSED] ORDER

15
16 Plaintiff Gianfranco Ruffino and Defendant the United States of America, by and through their
17 undersigned counsel, jointly stipulate and respectfully request that the Court enter an order modifying
18 the Amended Pretrial Scheduling Order (ECF 11) to combine the two phases of discovery into a single
19 phase, with a cutoff date of March 30, 2018. The requested modification will not affect any other
20 deadline in the Amended Pretrial Scheduling Order.

21 Good cause for the modification exists for the following reasons. The Amended Pretrial
22 Scheduling Order established two phases for discovery, with the first phase addressing jurisdictional and
23 liability issues and the second phase addressing damages. The current cutoff for Phase One is December
24 31, 2017. The current cutoff for Phase Two is March 30, 2018. ECF 11 at 2. A number of the
25 witnesses who need to be deposed in connection with Phase One issues have firefighting responsibilities
26 in various state and federal government agencies. Obtaining firm deposition dates for those individuals
27 has been challenging because of the current California fire season. Combining the two phases of
28 discovery will permit the parties to schedule fact depositions during the winter months, outside of the

1 primary fire season. Accordingly, the parties jointly stipulate and request that the two phases of
2 discovery be combined, with a single discovery cutoff date of March 30, 2018. This change will not
3 require alteration of any other dates set by the Amended Pretrial Scheduling Order.

4 Dated: October 13, 2017

PHILLIP A. TALBERT
United States Attorney

6 By: /s/ Philip A. Scarborough
7 PHILIP A. SCARBOROUGH
8 Assistant United States Attorney
9 Attorneys for the United States

10 Dated: October 17, 2017

CASEY GERRY SCHENK
FRANCAVILLA BLATT &
PENFIELD, LLP

11 By: /s/ Angela Jae Chun
12 Angela Jae Chun
13 Attorneys for Plaintiff
14 Gianfranco Ruffino

15 [PROPOSED] ORDER

16 Before the Court is the parties' joint stipulation and request to modify the Amended Pretrial
17 Scheduling Order to combine Phase One and Phase Two of discovery into a single phase, with a
18 discovery cutoff date of March 30, 2018.

19 Good cause exists to grant the request. Accordingly, the Amended Pretrial Scheduling Order
20 (ECF 11) is amended to combine Phase One and Phase Two discovery, with a cutoff date of March 30,
21 2018. All other dates established in the Amended Pretrial Scheduling Order (ECF 11) remain in effect.

22 SO ORDERED.

23 Dated: October 20, 2017

24 Carolyn K. Delaney
25 CAROLYN K. DELANEY
26 UNITED STATES MAGISTRATE JUDGE
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