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19 Sheriff's Deputy John Zook; Siskiyou County Sheriff's Deputy Juan Ruiz

20 **UNITED STATES DISTRICT COURT**  
21 **EASTERN DISTRICT OF CALIFORNIA**

22 ROSS SANDERS, Individually; DONNA )  
23 SANDERS, Individually; DANIELLE ERIN )  
24 NIELSEN, Individually and as co-Successor in )  
25 Interest for Decedent LUKE SANDERS; and Ab. )  
26 S., Ad. S., E.S., and L.S., all minors, through their )  
27 mother and Next Friend DANIELLE ERIN )  
28 NIELSEN, Individually and as co-Successors in )  
Interest for Decedent LUKE SANDERS, )

Plaintiffs,

vs.

COUNTY OF SISKIYOU, a public entity; )  
SISKIYOU COUNTY SHERIFF'S DEPUTY )  
JOHN ZOOK; SISKIYOU COUNTY SHERIFF'S )  
DEPUTY JUAN RUIZ; and DOES 1-10, )  
Individually, Jointly and Severally, )  
Defendants. )

No: 2:17-cv-01040-WBS-CMK

**STIPULATION TO MODIFY  
SCHEDULING ORDER AND  
(PROPOSED) ORDER**

Hon. William B. Shubb

1 Plaintiffs ROSS SANDERS, DONNA SANDERS, AB. S., AD. S., E.S., and L.S. through  
2 their mother and Next Friend DANIELLE ERIN NIELSON, and Defendants COUNTY OF  
3 SISKIYOU and SISKIYOU COUNTY SHERIFF'S DEPUTIES JOHN ZOOK and JUAN RUIZ  
4 will and hereby do move this court to modify its September 21, 2017 Scheduling Order (Doc. 14) to  
5 extend pretrial dates by approximately ninety days and continue trial to a date on which all counsel  
6 and parties are available. The Parties propose the following amended dates and deadlines (or as  
7 soon thereafter that the Court is available):

- 8 • **Expert Disclosure deadline:** from July 23, 2018 to October 19, 2018
- 9 • **Fact and Expert Discovery deadline:** from August 22, 2018 to November 19, 2018
- 10 • **Motion Filing deadline:** from October 15, 2018 to January 8, 2019
- 11 • **Pretrial Conference:** from January 14, 2019 to April 15, 2019 at 1:30 p.m.
- 12 • **Trial:** from March 5, 2019 to July 16, 2019

13 Good cause exists for this modification of the briefing schedule:

- 14 1. Plaintiffs' counsel time and resources have been necessarily primarily devoted to multiple  
15 pending wrongful death cases, including cases set for trial in August and October, 2018, and  
16 another multi-party wrongful death case against Mendocino County and its jail medical  
17 providers involving 24 expert witnesses, including rebuttal experts. (*Neuroth v. Mendocino*  
18 *County*, 3:15-cv-03226-RS (E.D.Cal.). The expert depositions are presently being conducted  
19 in that case and have hindered Plaintiffs' counsel's availability.
- 20 2. The parties in the present case have exchanged written discovery and are meeting and  
21 conferring to try to resolve disagreements concerning requested Sheriff's Office documents  
22 and officers' personnel files. Those disagreements will be resolved soon either by  
23 agreement or by motion. Plaintiff's counsel contends that such documents are necessary to  
24 prepare for the depositions of Defendant officers.
- 25 3. The incident that resulted in decedent's death took place in Siskiyou County. Plaintiffs'  
26 counsel are based in Oakland, Defendants' counsel is in Redding, and Plaintiffs AB. S., AD.  
27 S., E.S., and L.S., currently reside in Calaveras County, over 350 miles from Siskiyou  
28

1 County, where Defendants and a majority of the witnesses are located and where the  
2 depositions will mostly take place. Due to limitations in counsels' schedules and based on  
3 the locations of the parties, witnesses, and counsel, depositions have been difficult to  
4 schedule. The proposed modifications will allow the parties to complete the numerous  
5 depositions contemplated.

- 6 4. The parties have agreed to set the depositions of Plaintiffs AB. S., AD. S, and their mother  
7 and Next Friend Danielle Erin Nielson for April 5, 2018 and of Plaintiffs Ross Sanders,  
8 Donna Sanders, Defendants Siskiyou County Sheriff's Deputies' John Zook and Juan Ruiz,  
9 CHP Officer Benson, and eye-witnesses for June 6, 2018 through June 8, 2018, in Siskiyou  
10 County.
- 11 5. The new proposed schedule would permit counsel to cooperatively complete discovery with  
12 sufficient time to allow for appropriate expert review of discovery materials, and also would  
13 permit time to conduct private or court ADR before incurring the costs of expert retention  
14 and reports.
- 15 6. The parties therefore respectfully request that this Court enter the proposed order.

16  
17 IT IS SO STIPULATED

18  
19 DATED: March 7, 2018

HADDAD & SHERWIN

20 By: /s/ Michael J. Haddad

21 \_\_\_\_\_  
22 MICHAEL J. HADDAD  
23 Attorneys for all Plaintiffs

24 DATED: March 7, 2018

LAW OFFICE OF JAMES A. WYATT

25 By: /s/ James A. Wyatt

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27 JAMES A. WYATT  
28 Attorney for all Defendants

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**ORDER**


Based on the parties' stipulation, and with good cause appearing therefore,

IT IS HEREBY ORDERED that the previous Scheduling Order entered on September 28, 2017 (Doc. 14) is hereby modified, and that the following dates are set:

- **Expert Disclosure deadline:** October 19, 2018
- **Fact and Expert Discovery deadline:** November 19, 2018
- **Motion Filing deadline:** January 8, 2019
- **Pretrial Conference:** April 15, 2019 at 1:30 p.m.
- **Trial:** June 25, 2019 at 9:00 a.m.

IT IS SO ORDERED.

Dated: March 7, 2018

  
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WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE