

1 JUSTIN A. PALMER, ESQ [SBN. 270857]
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5 Attorney for Plaintiff,
 6 SAMUEL SALDANA

7 **UNITED STATES DISTRICT COURT**
 8 **EASTERN DISTRICT OF CALIFORNIA**

9 SAMUEL SALDANA

2:18-cv-00319-DJC-AC (PC)

10 vs.

**JOINT STIPULATION AND ORDER FOR
 EXPERT AND PRETRIAL DISCOVERY
 SCHEDULE**

11 SPEARMAN, et al.,

12 Defendant.

13 **TO THIS HONORABLE COURT:**

14 By and through their counsel, Plaintiff Samuel Saldana and Defendant hereby agree,
 15 stipulate, and respectfully request that this Honorable Court modify the current schedule for this
 16 litigation, as set forth in the Further Scheduling Order dated February 3, 2023 (ECF No. 102).

17 This Stipulation and request is made for the following reasons:

18 1. This is a prisoner civil rights case. Plaintiff, an inmate, is proceeding with the
 19 assistance of appointed pro bono counsel, Justin A. Palmer.

20 2. On April 6, 2023, the Court issued an Order of Reassignment transferring the case
 21 from District Judge Dale A. Drozd to District Judge Daniel J. Calabretta (ECF No. 103). The Order
 22 also vacated all pretrial conference and trial related dates, but did not explicitly set a schedule for
 23 expert discovery and pretrial disclosures.

24 3. Plaintiff’s counsel is the Chair of State Bar of California’s Judicial Nominations and
 25 Evaluations Commission (“JNE”), which assists the governor in the judicial selection process.
 26 Appointed by the State Bar Board of Trustees, JNE is charged with thoroughly investigating and
 27 evaluating candidates under consideration for appointment by the governor to California. As Chair,
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1 counsel devotes more 1,000 hours to that volunteer commitment and the scope of that work has
2 substantially limited counsel’s ability to review the case in its entirety and engage the relevant
3 experts to make the appropriate disclosures prior to trial.

4 4. The parties desire to conduct limited expert discovery and prepare the case for trial.

5 5. Based on the foregoing, to facilitate trial preparation, avoid the unnecessary
6 expenditure of attorney and judicial resources, and permit the parties to complete remaining
7 discovery prior to trial.

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1 WHEREFORE, IT IS HEREBY STIPULATED AND RESPECTFULLY REQUESTED
2 BY THE PARTIES that:

- 3 1. The parties shall serve expert disclosures on or before August 15, 2023. The deadline for
4 the completion of all expert discovery shall be September 30, 2023.
- 5 2. Plaintiff shall file and serve his pretrial statement and any motions necessary to obtain
6 the attendance of incarcerated witnesses at trial on or before October 16, 2023. Defendant
7 shall file his pretrial statement on or before October 31, 2023.

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9 Dated: May 2, 2023

Respectfully Submitted,

FILER | PALMER, LLP

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12 By: 

Justin A. Palmer
Attorneys for Plaintiff,
SAMUEL SALDANDA

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16 Dated: May 2, 2023

Respectfully submitted,

ROB BONTA
Attorney General of California
JON S. ALLIN
Supervising Deputy Attorney General

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21 /s/
MATTHEW ROSS WILSON
Deputy Attorney General
Attorneys for Defendant
Passwaters

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PURSUANT TO THE STIPULATION OF THE PARTIES, this Court hereby
ORDERS :

1. The parties shall serve expert disclosures on or before August 15, 2023. The deadline for the completion of all expert discovery shall be September 30, 2023.
2. Plaintiff shall file and serve his pretrial statement and any motions necessary to obtain the attendance of incarcerated witnesses at trial on or before October 16, 2023. Defendant shall file his pretrial statement on or before October 31, 2023.

Dated: May 5, 2023

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE