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7 CITY OF STOCKTON, STOCKTON POLICE
 DEPARTMENT, ERIC JONES, KEVIN JAYE
 8 HACHLER, ERIC B. HOWARD, MICHAEL
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 9 UNDERWOOD

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14 *Attorneys for Plaintiffs,*
 15 FRANCISCO DUARTE and ALEJANDRO
 GUTIERREZ

17 UNITED STATES DISTRICT COURT
 18 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

20 FRANCISCO DUARTE and ALEJANDRO
 GUTIERREZ,

21 Plaintiffs,

22 v.

23 CITY OF STOCKTON, STOCKTON
 24 POLICE DEPARTMENT, ERIC JONES,
 KEVIN JAYE HACHLER, ERIC B.
 25 HOWARD, MICHAEL GANDY, CONNER
 NELSON, and SGT. UNDERWOOD; and
 26 Does 1-50,

27 Defendants.

Case No. 2:19-cv-00007-MCE-CKD

**STIPULATION AND ORDER TO AMEND
 SCHEDULING ORDER**

1 **STIPULATION**

2 1. Allen, Glaessner, Hazelwood & Werth, LLP is and has been counsel of record for
3 Defendants during the entire course of this action.

4 2. Allen, Glaessner, Hazelwood & Werth, LLP will be transferring this matter and its
5 files relating to this action to the City of Stockton's Office of the City Attorney to directly defend
6 and handle internally.

7 3. Attorney Stephanie Wu just commenced her employment with the City of Stockton
8 as a Deputy City Attorney on November 18, 2019 and will be substituting into this action as
9 attorneys for Defendants. Attorney Wu will be out of the country on a pre-planned, prepaid vacation
10 from December 20, 2019 through January 7, 2020.

11 4. The pleadings in this action are not yet settled as Plaintiffs filed a First Amended
12 Complaint in this action on November 13, 2019 and Defendants have now filed a motion to dismiss,
13 which is pending before this Court.

14 5. The parties are still in the process of completing fact discovery in this matter.
15 Defendants have propounded their first set of written discovery, the responses to which are due on
16 December 30, 2019. The depositions of Plaintiffs and several defendants have yet to be completed.

17 6. Based on the initial scheduling order, fact discovery in this matter closes on
18 December 31, 2019, expert witness disclosures are due on February 29, 2020, rebuttal expert
19 disclosures are due on March 30, 2020, and the dispositive motion filing deadline is June 29, 2020.

20 7. In light of the foregoing, the defendants believe good cause exists to modify the
21 scheduling order by extending all pretrial discovery deadlines by three (3) months and the
22 dispositive motion filing deadline by two (2) months. By entering into this stipulation, plaintiffs are
23 not stipulating to good cause for continuance, but do so as a professional courtesy to incoming new
24 counsel. Defendants first initiated discovery on November 27, 2019.

25 8. If the Court does not sign an order by December 31, 2019, which is the current date
26 for fact discovery cut-off, to extend the dates as stated herein under paragraph 6, then plaintiffs
27 stipulation is withdrawn.

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1 Dated: December 3, 2019

ALLEN, GLAESSNER, HAZELWOOD &
WERTH, LLP

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By: /s/ PATRICK MORIARTY

(as authorized on 12/3/19)

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Patrick Moriarty

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Attorneys for Defendants,

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CITY OF STOCKTON, STOCKTON POLICE
DEPARTMENT, ERIC JONES, KEVIN JAYE
HACHLER, ERIC B. HOWARD, MICHAEL
GANDY, CONNER NELSON, and SGT.
UNDERWOOD

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9 Dated: December 9, 2019

OFFICE OF THE CITY ATTORNEY
CITY OF STOCKTON

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By: /s/ STEPHANIE Y WU

Stephanie Y. Wu

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Attorneys for Defendants,

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CITY OF STOCKTON, STOCKTON POLICE
DEPARTMENT, ERIC JONES, KEVIN JAYE
HACHLER, ERIC B. HOWARD, MICHAEL
GANDY, CONNER NELSON, and SGT.
UNDERWOOD

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17 Dated: December 9, 2019

LAW OFFICE OF YOLANDA HUANG

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By: /s/ YOLANDA HUANG

(as authorized on 12/9/19)

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Yolanda Huang

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Attorneys for Plaintiffs,

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FRANCISCO DUARTE and ALEJANDRO
GUTIERREZ

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1 **ORDER**

2 Pursuant to the stipulation of the parties and finding good cause therefor, IT IS HEREBY
3 ORDERED that the initial scheduling order shall be modified as follows:

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	INITIAL DEADLINE	MODIFIED DEADLINE
5 Non-Expert Discovery Cutoff	December 31, 2019	March 31, 2020
6 Expert Witness Disclosure	February 29, 2020	May 29, 2020
7 Rebuttal Witness Disclosure	March 30, 2020	June 30, 2020
8 Dispositive Motion Filing Deadline	June 28, 2020	August 28, 2020

9 **IT IS SO ORDERED.**

10 DATED: December 30, 2019

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15 MORRISON C. ENGLAND, JR.
16 UNITED STATES DISTRICT JUDGE
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