

1 PHILLIP A. TALBERT
Acting United States Attorney
2 VICTORIA L. BOESCH
Assistant United States Attorney
3 501 I Street, Suite 10-100
Sacramento, CA 95814
4 Telephone: (916) 554-2700

5 Attorneys for the United States

6
7 IN THE UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA

9 RENEE BOOTH, BRADLEY CONVERSE,
K.C.,

10 Plaintiffs,

11 v.

12 UNITED STATES OF AMERICA,

13 Defendant.

CASE NO. 2:19-cv-01612-KJM-CKD

**STIPULATION AND ORDER TO MODIFY
PRETRIAL SCHEDULING ORDER**

14
15
16
17 Plaintiffs Renee Booth and Bradley Converse, Jr., individually and as next friends of K.C., a
18 minor, and Defendant the United States agree to adjust the case schedule as follows and respectfully
19 request that the Court modify the scheduling order accordingly. This stipulation is based on good cause
20 as set forth below.

21 The initial scheduling conference in this case was held on January 16, 2020, and the parties
22 agreed to a schedule prior to the Covid-19 pandemic. Since that time, the parties have experienced
23 delays and difficulties related to the pandemic, as well as a family medical emergency that caused
24 unavailability of defense counsel. The parties therefore made several previous requests that the Court
25 adjust the schedule to allow them more time for discovery, which it did. *See* Dkt. 15, 16, 17, 18, 19, 23,
26 24, 25, 26.

27 The parties then pursued discovery, taking depositions via videoconference to allow for social
28 distancing under current pandemic conditions. Plaintiff and Defendant have disclosed experts, with

1 some delay before the Defendant could do so caused by public health restrictions that prevented in-
2 person medical examinations of the Plaintiff for some time. The parties also engaged in a mediation in
3 early August, after which they determined that expert depositions were necessary. They have now
4 completed some expert depositions, but others had to be rescheduled due to the death of defense
5 counsel's mother.

6 Because of the need to reschedule those expert depositions, the parties respectfully request that
7 the Court modify the scheduling order to adjust the schedule to allow additional time for expert
8 discovery as reflected below.

<u>Event</u>	<u>Current Date</u>	<u>Proposed New Date</u>
Expert Discovery Cut Off	11/26/21	1/28/22
Dispositive Motion Hearing by	2/11/22	3/25/22

13 Respectfully submitted,

14 PHILLIP A. TALBERT
15 Acting United States Attorney

16 Dated: November 16, 2021

17 By: /s/ Victoria L. Boesch
18 VICTORIA L. BOESCH
19 Assistant United States Attorney
20 Attorneys for the United States

21 Dated: November 16, 2021

22 /s/ Laurie Higginbotham (authorized 11/16/21)
23 LAURIE HIGGINBOTHAM
24 Whitehurst, Harkness, Brees, Cheng, Alsaffar,
25 Higginbotham, & Jacob, PLLC
26 Attorneys for Plaintiffs

27 **IT IS SO ORDERED.** The Court modifies the scheduling order as follows:

<u>Event</u>	<u>Current Date</u>	<u>Proposed New Date</u>
Expert Discovery Cut Off	11/26/21	1/28/22
Dispositive Motion Hearing by	2/11/22	3/25/22

28 DATED: November 18, 2021.


CHIEF UNITED STATES DISTRICT JUDGE