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17 UNITED STATES DISTRICT COURT

18 EASTERN DISTRICT OF CALIFORNIA

19
 20 ROBERT RAITER,
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 Plaintiff,
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 vs.
 23 CITY OF OROVILLE, and DOES 1 through
 24 50, inclusive.
 25 Defendants.

Case No.: 2:22-cv-00530-TLN-DB

**STIPULATION AND ORDER MODIFYING
 INITIAL PRETRIAL SCHEDULING
 ORDER**

Judge: Hon. Troy L. Nunley

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1 Plaintiff ROBERT RAITER (“Plaintiff”) and Defendant CITY OF OROVILLE (“Defendant”)
2 and (collectively, the “parties”), by and through their respective attorneys of record, and pursuant to
3 Federal Rules of Civil Procedure (“Rule”) 16(b)(4) and Local Rules 143 and 144(d) of the United
4 States District Court for the Eastern District of California, hereby stipulated and agree as follows:

5 **WHEREAS**, on March 22, 2023, the Court issued its Initial Pretrial Scheduling Order (Dkt.
6 3);

7 **WHEREAS**, Section III of the Initial Pretrial Scheduling Order provides, in part, “All
8 discovery, with the exception of expert discovery shall be completed no later than two hundred forty
9 (240) days from the date upon which the last answer may be filed with the Court pursuant to the
10 Federal Rules of Civil Procedure”;

11 **WHEREAS**, Section IX of the Initial Pretrial Scheduling Order provides, in part, “The
12 parties are reminded that pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the Initial
13 Pretrial Scheduling Order shall not be modified except by leave of court upon a showing of good
14 cause”;

15 **WHEREAS**, in accordance with the Initial Pretrial Scheduling Order initial disclosure of
16 expert witnesses was set for March 18, 2024; designation of supplemental expert witnesses was set for
17 no later than April 17, 2024;

18 **WHEREAS**, in accordance with the Initial Pretrial Scheduling Order and the Joint Report, the
19 last day to file dispositive motions was set for July 15, 2024;

20 **WHEREAS**, the Parties have engaged in initial written discovery and are in the process of
21 scheduling depositions;

22 **WHEREAS**, in managing this case alongside a similar case, Plaintiff inadvertently confused
23 the deadlines for each, leading to miscalendaring of discovery dates in this matter. This error was not
24 realized until a recent review of the case timelines, highlighting the need for an adjustment to the
25 pretrial schedule;
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Dated:

ANGELO, KILDAY & KILDUFF, LLP

/s/ Carolee G. Kilduff

By: _____

CAROLEE G. KILDUFF

WILLIAM J. BITTNER

Attorneys for Defendant CITY OF OROVILLE

Under Eastern District of California Civil Local Rule 131(e) (Fed. R. Civ. P. 7), I attest that I obtained concurrence in the filing of this document from all of the above signatories.

Dated: February 5, 2024

LAW OFFICES OF LARRY L. BAUMBACH

By: */s/ Larry L. Baumbach*

Larry L. Baumbach

Attorneys for Plaintiff

ROBERT RAITER

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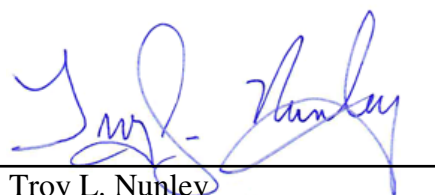
ORDER

For good cause shown, and pursuant to the Stipulation of the parties, the deadlines in the Court's March 22, 2022 Initial Pretrial Scheduling Order and the Joint Report shall be continued four (4) months, or set on such other dates as the Court determines, as follows:

<u>Event</u>	<u>Current Deadline</u>	<u>New Deadline</u>
Discovery Cut-Off	January 17, 2024	May 17, 2024
Expert Disclosures	March 18, 2024	July 18, 2024
Supplemental Expert Disclosures	April 17, 2024	August 19, 2024
Supplemental Discovery	June 14, 2024	October, 14, 2024
Dispositive Motions	July 15, 2024	November 18, 2024
Joint Notice of Trial Readiness (if no dispositive motions filed)	May 16, 2024	September 16, 2024

IT IS SO ORDERED.

Dated: February 5, 2024



Troy L. Nunley
United States District Judge