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7 Attorneys for Defendant  
Drake Wiest

8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

11 DIANA SANTOS and EDWARD  
CHAVEZ,

12 Plaintiffs,

13 vs.

14 DRAKE WIEST, in his individual capacity  
15 and in his official capacity as a police  
officer for CITY OF FAIRFIELD; and  
16 DOES 1-50, inclusive, individually and in  
their official capacities as peace officers for  
17 CITY OF FAIRFIELD, jointly and  
severally,

18 Defendants.  
19

Case No. 2:22-cv-01856 DJC-AC

**STIPULATION AND ORDER TO AMEND  
CASE SCHEDULE**

20 All parties, by and through their counsel of record, submit this Stipulation and Proposed  
21 Order wherein they stipulate as set forth below hereby move this Court to modify its Scheduling  
22 Order, entered on March 28, 2024 (ECF 16). The parties stipulate that good cause exists to amend  
23 the operative scheduling order as indicated below.

24 WHEREAS Defendants discovered additional case materials for production to Plaintiffs,  
25 including numerous other body worn camera videos and other documentation. As such, in fairness,  
26 Defendants had to cancel Plaintiffs' depositions to afford Plaintiffs' counsel time to review and  
27 analyze the newly received production. As such, the depositions of the Plaintiffs will have to be  
28 reset, likely in the latter half of June. In light of this new production, the parties are requesting

STIPULATION AND ORDER TO AMEND CASE  
SCHEDULE C22-01856 DJC-AC

1 brief extensions of the key deadlines in this case.

2 WHEREAS no party will be prejudiced by the proposed extension below, nor are any key  
3 substantive dates of the Court affected, including no effect to the trial date.

4 WHEREAS the parties have met and conferred and have proposed amending the current  
5 Scheduling Order per the dates and deadlines listed below as the parties need more time to complete  
6 discovery.

7 WHEREAS the parties propose the following new dates, subject to the Court's approval.

8 <b>Event</b>	<b>Current Deadline</b>	<b>Proposed Deadline</b>
9 Close of Fact Discovery	June 7, 2024	<b>August 30, 2024</b>
10 Expert Disclosures	June 14, 2024	<b>September 20, 2024</b>
11 Rebuttal Expert Disclosures	July 3, 2024	<b>October 11, 2024</b>
12 Expert Discovery Cut-Off	July 8, 2024	<b>November 8, 2024</b>
13 Last Day to File Dispositive and <i>Daubert</i> Motions	July 12, 2024	<b>December 5, 2024</b>
14 Dispositive Motion Hearing		<b>January 9, 2025 at 1:30 p.m.</b>
15 Pretrial Conference	November 5, 2024 at 1:30 p.m.	<b>April 10, 2025 at 1:30 P.M.</b>
16 Jury Trial	January 6, 2025 at 9:00 a.m.	<b>June 2, 2025 at 8:30 A.M.</b>

17  
18 WHEREAS good cause exists to amend the operative scheduling order to allow the parties  
19 adequate time to conduct discovery and prepare their cases and defenses.

20 **IT IS SO STIPULATED**

21 The parties attest that concurrence in the filing of these documents had been obtained from  
22 each of the other signatories, which shall serve in lieu of their signatures on the document.

23 Dated: June 5, 2024

LAW OFFICES OF JUSTIN KIRK TABAYOYON

24 By:           /s/ Justin Tabayoyon            
25 Justin Kirk Tabayoyon  
26 Attorneys for Plaintiffs,  
Diana Santos and Edward Chavez

27 ///

28 ///

1 Dated: June 5, 2024

2 McNAMARA, AMBACHER, WHEELER,  
3 HIRSIG & GRAY LLP

4 By: /s/ Noah G. Blechman  
5 Noah G. Blechman  
6 John J. Swafford  
7 Attorneys for Defendant  
8 Drake Wiest

9 **ORDER**

10 Pursuant to the stipulation of the parties, and with good cause appearing therefore, IT IS  
11 HEREBY ORDERED that the Scheduling Order in this case be modified as follows:

Event	Amended Deadline
Close of Fact Discovery	August 30, 2024
Expert Disclosures	September 20, 2024
Rebuttal Expert Disclosures	October 11, 2024
Expert Discovery Cut-Off	November 8, 2024
Last Day to File Dispositive and <i>Daubert</i> Motions	December 5, 2024
Dispositive Motion Hearing	January 9, 2025 at 1:30 P.M.
Pretrial Conference	April 10, 2025 at 1:30 P.M.
Jury Trial	June 2, 2025 at 8:30 A.M.

12 IT IS SO ORDERED

13 Dated: June 5, 2024

14 /s/ Daniel J. Calabretta

15 THE HONORABLE DANIEL J. CALABRETTA  
16 UNITED STATES DISTRICT JUDGE