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S.O., A MINOR, BY AND THROUGH HER
GUARDIAN AD LITEM LOLITA O'NEAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

S.O., a minor, by and through her
Guardian Ad Litem, LOLITA O'NEAL,

Plaintiff,

v.

RESCUE UNION SCHOOL DISTRICT;
MICHELLE WINBERG; LAURA
HENDRIX; DUSTIN HALEY and DOES
1-100,

Defendants.

Case No. 2:23-CV-00406-DJC-AC

**FOURTH JOINT STIPULATION
AND ORDER TO MODIFY
SCHEDULING ORDER (Dkt. 36)**

District Judge Daniel J. Calabretta
Magistrate Judge Allison Claire

Date Filed: 03/03/2023
Trial Date: 08/04/2025

The Parties, through their undersigned counsel, hereby jointly stipulate and request the Court enter an order as follows.

WHEREAS:

1. On April 24, 2024, Defendant Rescue Union School District filed a motion with this Court (Dkt 47) seeking reconsideration of the Magistrate's order compelling production of unredacted discovery, which the Court granted on August 20 (Dkt. No.56);

2. Plaintiff filed a motion for protective order regarding communications between Defendant Rescue Union School District and relevant witnesses in this

1 matter. (Dkt. No. 57) Magistrate Claire is presiding over the subsequent meet and
2 confer related to this motion, which will affect the final production of documents
3 Defendant will make. Magistrate Claire set a compliance hearing on September 20,
4 2024. (Dkt. No. 63) Defendant's final production of documents will not occur until
5 after the compliance hearing;

6 3. Defendants are in the process of scheduling depositions of Plaintiff S.O.
7 and her mental health providers;

8 4. Under the current deadlines, lay discovery would close less than one
9 month after the final production of document occurs. If the lay discovery deadline
10 remains the same, Plaintiff would have insufficient time after the final document
11 production to take all outstanding liability depositions, propound additional written
12 discovery or to notice additional witnesses as necessary;

13 5. The Parties hereby jointly stipulate and request that the following pre-
14 trial deadlines as set forth in the Scheduling Order (Dkt. 53) be modified and
15 extended days as set forth below:

Deadline	Current	Proposed
Joint Mid-Discovery Statement	-	1/17/2025
Lay Discovery Cutoff	10/25/2024	2/14/2025
Expert Disclosure + Reports	11/22/2024	3/14/2025
Rebuttal Disclosure + Reports	12/20/2024	4/18/2025
Expert Discovery Cutoff	1/17/2025	5/16/2025
Dispositive Motion Filing Deadline	1/31/2025	6/2/2025
Dispositive Motion Hearing Deadline	3/20/2025 at 1:30 p.m.	7/10/2025 at 1:30 p.m.
Final Pretrial Conference Hearing	6/5/2024 at 1:30 p.m.	9/25/2025 at 1:30 p.m.
Jury Trial	8/4/2025 at 8:30 a.m.	12/1/2025 at 8:30 a.m.

25 6. This is the Parties' fourth request to modify the scheduling order.

26 7. Good cause supports this joint request, as the pre-trial modifications
27 would allow the parties to complete fact discovery needed for trial or pre-trial
28 resolution. The parties cannot adequately prepare the case for trial without

1 additional time to complete discovery.

2 8. The Parties respectfully submit that this modification will better allow
3 them to resolve outstanding issues, complete discovery and prepare the case for trial.

4 IT IS SO STIPULATED.

5 Dated: September 24, 2024 WALKUP, MELODIA, KELLY & SCHOENBERGER

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8 By: /s/ Kelly L. Ganci
9 KHALDOUN A. BAGHDADI
10 VALERIE N. ROSE
11 KELLY L. GANCI
12 Attorneys for PLAINTIFF
13 S.O., A MINOR, BY AND THROUGH HER
14 GUARDIAN AD LITEM LOLITA O'NEAL

12 Dated: September 24, 2024 SPINELLI DONALD & NOTT

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15 By: /s/ Kathleen Bray
16 ROSS R. NOTT
17 CARTER J. NOTT
18 KATHLEEN BRAY
19 Attorneys for DEFENDANT
20 RESCUE UNION SCHOOL DISTRICT,
21 MICHELLE WINBERG, LAURA HENDRIX
22 AND DUSTIN HALEY

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1 **ORDER**

2 Having considered the stipulated request of the parties, and with good cause
3 appearing, the Court orders as follows:

4 1. Lay Discovery Period: The deadline to complete lay discovery shall be
5 extended to February 14, 2025.

6 2. Initial Expert Disclosure: The deadline to exchange initial expert
7 disclosure and reports shall be extended to March 14, 2025.

8 3. Rebuttal Expert Disclosure: The deadline to exchange rebuttal expert
9 reports shall be extended to April 18, 2025.

10 4. Expert Discovery Period: The deadline to complete expert discovery shall
11 be extended to May 16, 2025.

12 5. Motion Filing Deadline: The deadline to file motions, including dispositive
13 motions, shall be extended to June 2, 2025.

14 6. Dispositive Motion Hearing Deadline: The deadline for hearing dispositive
15 motions shall be extended July 10, 2025 at 1:30 p.m.

16 7. Final Pretrial Conference Hearing: The deadline for hearing dispositive
17 motions shall be extended to September 25, 2025 at 1:30 p.m.

18 8. Jury Trial: The Trial date shall be extended to December 1, 2025 at 8:30
19 a.m.

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21 IT IS SO ORDERED.

22 Dated: September 25, 2024

23 /s/ Daniel J. Calabretta
24 THE HONORABLE DANIEL J. CALABRETTA
25 UNITED STATES DISTRICT JUDGE