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11 *Attorneys for Plaintiffs*

12 **UNITED STATES DISTRICT COURT**  
 13 **EASTERN DISTRICT OF CALIFORNIA**

14 WILLIAM HENNE, Decedent, by and through	) Case No. 2:24-CV-02275-TLN-AC
15 his successors in interest; F.H., a minor, by and	)
16 through her proposed guardian ad litem, Reatana	) [Assigned to the Honorable U.S. District
17 Ven, individually and as co-successor in interest	) Judge Troy L. Nunley – Courtroom 2]
18 to Decedent; W.A.H., a minor, by and through his	)
19 proposed guardian ad litem, Alexis Celeste,	) <b>FIRST STIPULATION AND ORDER</b>
20 individually and as co-successor in interest to	) <b>TO MODIFY INITIAL PRETRIAL</b>
21 Decedent; W.R.H., a minor, by and through his	) <b>SCHEDULING ORDER</b>
22 proposed guardian ad litem, Alexis Celeste,	)
23 individually and as co-successor in interest to	)
24 Decedent,	)
25	)
26	)
27	)
28	)
Plaintiffs,	)
vs.	)
COUNTY OF SAN JOAQUIN, a public entity, et	)
al.,	)
Defendants.	)

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1 Plaintiffs and Defendants (“the parties”), all through their undersigned counsel of record,  
2 and subject to the approval of the Court, respectfully stipulate as follows:

3 RECITALS

4 A. On August 20, 2024, Plaintiffs filed this civil-rights, wrongful death, and survival  
5 action.

6 B. On August 21, 2024, the Court issued its Initial Pretrial Scheduling Order (the  
7 “Scheduling Order”). ECF No. 3.

8 C. On September 9, 2024, the Court granted the previously filed application of Retana  
9 Ven to be appointed the guardian ad litem for minor Plaintiff F.H. ECF No. 10.

10 D. On September 9, 2024, the Court granted the previously filed applications of Alexis  
11 Celeste to be appointed the guardian ad litem for minor Plaintiffs W.A.H. and W.R.H. ECF No.  
12 11.

13 E. On October 10, 2024, a Waiver of Service was filed as to all Defendants. ECF No.  
14 12.

15 F. On November 27, 2024, the County of San Joaquin Defendants filed an Answer to  
16 Plaintiffs’ Complaint. ECF No. 14.

17 G. The parties have met and conferred regarding the Scheduling Order, and the parties  
18 believe certain dates in it will not give the parties sufficient time to investigate the issues in the  
19 case, conduct discovery, and prepare for trial.  
20

21 H. The undersigned counsel for Plaintiffs are in the midst of conducting extensive  
22 discovery in a number of other complex, in-custody death cases, and two of the undersigned co-  
23 counsel for Plaintiffs have separate jury trials commencing on April 21 in such matters, both of  
24 which will progressively consume substantial time through and including April 21 – May 2,  
25 following which several weeks are blocked off for depositions of fact witnesses and expert  
26 witnesses in other matters. Counsel for Plaintiffs have highly impacted schedules for the next 8-9  
27 months.  
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I. The parties, nevertheless, have exchanged initial Rule 26(a)(1) disclosures and

1 Plaintiff has served Requests for Production.

2 J. Given the press of business, other trials, and matters that counsel have scheduled,  
3 the anticipated time the parties will require to respond to discovery requests and marshal the  
4 documents that will be requested, the time required to meet and confer on discovery in an effort to  
5 avoid potential discovery motions, the time required for the parties to prepare a stipulated  
6 protective order governing the production of sensitive or confidential materials or information, the  
7 large number of depositions that may have to be taken, as well as the desire of counsel for the  
8 parties to be able to exercise professional courtesy by reasonably accommodating the schedules of  
9 the deponents and counsel as much as possible, granting reasonable extensions, and the need to set  
10 depositions on mutually available dates, including the anticipated difficulties with doing this (in  
11 view of the number of schedules and potential depositions involved), the undersigned counsel  
12 reasonably estimate the need for, and, thus, respectfully request, that an additional 120 days be  
13 added to the deadline for the completion of discovery, as set forth in Section III of the Initial  
14 Pretrial Scheduling Order. (ECF No. 3 at 2:15-23.) All successive deadlines in the Pretrial  
15 Scheduling Order would be correspondingly extended, with spacing between such dates to remain  
16 the same as is set forth in the Pretrial Scheduling Order.

17  
18 K. The parties, therefore, respectfully request additional time to complete these items  
19 in the Scheduling Order.

20 L. When an act must be done within a specified time, the Court may, for good cause,  
21 extend the time with or without motion if the court acts, or a request is made, before the original  
22 time expires. Fed. R. Civ. P. 6(b)(1)(A). With respect to an order setting forth the Court's pretrial  
23 schedule, "[t]he district court may modify the pretrial schedule 'if it cannot be reasonably met  
24 despite the diligence of the party seeking the amendment.'" *Johnson v. Mammoth Recreations,*  
25 *Inc.*, 975 F.2d 604, 609 (9th Cir. 1992).

26 M. There have been no prior modifications of the Scheduling Order.

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1 STIPULATION

2 The parties, by and through their undersigned counsel, respectfully request that the Court  
3 modify the Scheduling Order as follows:

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Case Event	Current Deadline (ECF No. 3)	Proposed Amended Deadline
Cutoff of Non-Expert Discovery	11/27/2025	03/27/2026
Expert disclosures/ Expert Witness Designations	1/26/2026	05/26/2026
Rebuttal expert disclosures	2/25/2026	06/25/2026
Supplemental disclosures (FRCP 26(e))	04/24/2026	08/24/2026
Dispositive motion filing cut-off date	05/26/2026	09/23/2026

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11 Based on the foregoing, the parties respectfully request that the Court grant this stipulation  
12 for a modification of the Scheduling Order.

13 Respectfully Submitted,

14  
15 Dated: March 10, 2025  
16 **SCHMIDT,**

**LAW OFFICE OF SANJAY S.**

**GRACE JUN, ATTORNEY AT LAW, and  
LAW OFFICES OF PANOS LAGOS**

*/s/ Sanjay S. Schmidt*

By: SANJAY S. SCHMIDT  
Attorneys for Plaintiffs

17  
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19  
20  
21 Dated: March 10, 2025  
22 **LLP**

**BURKE, WILLIAMS & SORENSEN,**

*/s/ Kyle Anne Piasecki\**

By: Kyle Anne Piasecki  
Gregory B. Thomas  
Kyle Anne Piasecki  
Jackson D. Morgus  
Attorneys for Defendants

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26  
27 \*Pursuant to Local Rule 131(e), counsel has authorized submission of this document on counsel's  
28 behalf.

1  
2 **ORDER**

3 The Court, having considered the parties' stipulation, and good cause appearing, rules as  
4 follows:

5 The Court finds the parties have shown good cause for the relief their Stipulation requests.

6 THEREFORE, the relief the parties request is GRANTED, and the scheduling order is  
7 modified as follows:

8

Case Event	New Deadline
Cutoff of Non-Expert Discovery	03/27/2026
Expert disclosures/ Expert Witness Designations	05/26/2026
Rebuttal expert disclosures	06/25/2026
Supplemental disclosures (FRCP 26(e))	08/24/2026
Dispositive motion filing cut-off date	09/23/2026

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13 **IT IS SO ORDERED.**

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16 Dated: March 10, 2025

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19 Troy L. Nunley  
20 Chief United States District Judge