LATHAM & WATKINS LLP
    Al Pfeiffer (Bar No. 120965)
        al.pfeiffer@lw.com
    Ashley Bauer (Bar No. 231626)
        ashley.bauer@lw.com
    Meghna Subramanian (Bar No. 251513)
        meghna.subramanian@lw.com
505 Montgomery Street, Suite 2000
San Francisco, California 94111-6538
Telephone: (415) 391-0600
Facsimile: (415) 395-8095

Attorneys for Plaintiff
Michael Izell Seals

JONES & DYER
A Professional Corporation
    Mark A. Jones (Bar No. 96494)
        mjones@jonesdyer.com
    Kristen K. Preston (Bar No. 125455)
        kpreston@jonesdyer.com
1800 J Street
Sacramento, California 95814
Telephone: (916) 552-5959
Facsimile: (916) 442-5959

Attorneys for Defendants
John Rynhart
Lyle Thomas

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Michael Izell Seals,
 	
        Plaintiff,
 	
    v.
 	
Officer Rodney K. Mitchell, et al.
 	
        Defendants.
	CASE NO. C-04-3764 NJV
	
	JOINT STIPULATION AND [PROPOSED] ORDER REQUESTING AN EXTENSION OF TIME FOR NON-EXPERT AND EXPERT DISCOVERY

LATHAM & WATKINS LLP
ATTORNEYS AT LAW
SAN FRANCISCO

Seals v. Mitchell, et al.   C-04-3764 NJV
Joint Stipulation and [Proposed] Order Requesting an
Extension of Time for Non-Expert and Expert Discovery

1   Defendants John Rynhart and Lyle Thomas and Plaintiff Michael Izell Seals submit this

2 Joint Stipulation and [Proposed] Order Requesting an Extension of Time for Non-Expert and

3 Expert Discovery. Under the Court's Case Management and Pre-Trial Order of July 21, 2010,

4 Document #128, all non-expert discovery is to be completed by October 29, 2010, experts shall

5 be disclosed by December 3, 2010, and rebuttal experts shall be disclosed by January 14, 2011.

6 Pursuant to Local Rule 6-3, the parties jointly request that the Court enter an order changing

7 certain dates for non-expert and expert discovery fixed by the Court's Case Management and

8 Pre-Trial Order of July 21, 2010.

9   Because certain non-expert discovery cannot be completed in this timeframe, the parties

10 met and conferred on October 26, 28 and 29, 2010 to discuss the discovery schedule. The parties

11 agree that the most effective and efficient course would be to extend the non-expert and expert

12 discovery deadlines in this case as follows:

13   -All non-expert discovery shall be completed by Wednesday, December 8, 2010.

14   -Experts shall be disclosed by Monday, December 20, 2010.

15   -Rebuttal experts shall be disclosed by Wednesday, January 19, 2011.

16   The parties further agree and stipulate that the extension of the non-expert discovery

17 deadline to December 8, 2010 will be for the limited purpose of completing discovery, including

18 depositions, related to the following five witnesses identified in Defendants' Third Supplemental

19 Disclosures: Officer Raymond Brady, Officer McDonald, Charlie Diener, Dave Perkins, and Joe

20 Hughes.

21   At this time, the parties do not expect that the requested extensions of time will impact

22 other aspects of the Court's pre-trial scheduling order or the schedule going forward for trial.

23 Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure and Local Rule 6-3, there is good

24 cause to grant this motion.

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ATTORNEYS AT LAW
SAN FRANCISCO

Seals v. Mitchell, et al.   C-04-3764 NJV
2   Joint Stipulation and [Proposed] Order Requesting an
Extension of Time for Non-Expert and Expert Discovery

1 Dated: October 29, 2010

LATHAM & WATKINS LLP
    Al Pfeiffer
    Ashley Bauer
    Meghna Subramanian

By _____/s Meghna Subramanian_____
    Meghna Subramanian
    Attorney for Plaintiff
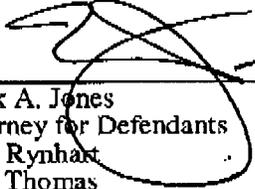   Michael Izell Seals

Dated: October 29, 2010

JONES & DYER
    Mark A. Jones
    Kristen K. Preston

By _____
    Mark A. Jones
    Attorney for Defendants
    John Rynhart
    Lyle Thomas

LATHAM•WATKINS LLP
A—ORNEYS AT LAW
SAN FRANCISCO

Seals v. Mitchell, et al.   C:-04-3764 NJV
3   Joint Stipulation and [Proposed] Order Requesting an
Extension of Time for Non-Expert and Expert Discovery

ORDER

The Court having considered the foregoing stipulation of the parties, and good cause appearing, the Court herby orders that the deadline for all non-expert discovery is extended to December 8, 2010 for the limited purpose of completing discovery and depositions as to the five new witnesses disclosed in Defendants' Third Supplemental Disclosure, experts shall be disclosed by Monday, December 20, 2010, rebuttal experts shall be disclosed by Wednesday, January 19, 2011.

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IT IS SO ORDERED.

Dated: 11/1/2010

/s/ Nandor J. Vadas

HON. NANDOR J. VADAS
United States Magistrate Judge

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SAN FRANCISCO

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Joint Stipulation and [Proposed] Order Requesting an
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