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 9 JOHN CRUDO, PAUL DAVIES, JEFF ADACHI,
 ROBERT BUNKER, AND TROY WILLIAMS

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

13 CHERYL COTTERILL,
 14 Plaintiff,

15 vs.

16 CITY AND COUNTY OF SAN
 FRANCISCO, ET AL.
 17 Defendants.

Case No. CV-08-02295 JSW

**REQUEST FOR CLARIFICATION
 REGARDING MARCH 23, 2009,
 DISCOVERY ORDER**

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1 The City Defendants respectfully request that the Court clarify several aspects of its March
2 23, 2009, ORDER RE MOTION TO CONTINUE DISCOVERY CUTOFF AND REQUEST
3 ADDITIONAL DEPOSITIONS.

4 1. The order states that "Plaintiff may have an extension of time until May 1, 2009 to
5 complete expert and non-expert discovery in this matter." Defendants request clarification regarding
6 whether that extension of the discovery cutoff applies to all parties or just to Plaintiff. The City
7 Defendants believe that if discovery is extended for Plaintiff, it should be extended for all parties.

8 2. The order does not address the deadline to disclose experts. Currently, the deadline to
9 disclose experts under the Court's case management order is April 1, 2009, the same day as the fact
10 discovery cutoff. It is unclear if the Court intended to keep the expert disclosure deadline as April 1
11 or if the Court intended to change the expert disclosure deadline to May 1. The City Defendants
12 request clarification on that point and further request that any extension of the expert disclosure
13 deadline apply to all parties, not just Plaintiff. The City Defendants note that it would be awkward
14 for expert disclosures to occur before the close of fact discovery.

15 3. The deadline to complete expert discovery (as opposed to disclosures), under the
16 Court's case management order, is May 4, 2009. The Court's March 23 order indicates that Plaintiff's
17 deadline to complete expert discovery is now May 1, 2009, and is silent as to Defendants' deadline.
18 The City Defendants request clarification as to when expert discovery now cuts off. The City
19 Defendants suggest that if expert disclosures are still due on April 1, then expert discovery should
20 continue to cut off on May 4 for all parties. However, if the Court is extending the expert disclosure
21 deadline to May 1, then the City Defendants suggest that the expert discovery deadline be extended a
22 corresponding amount of time, to June 5, 2009.

23 4. The Court's order appears to provide that Plaintiff may take a maximum of 15
24 depositions in addition to the depositions of Ms. Masi and Dr. Imara. Defendants request
25 clarification as to whether that was the Court's intended ruling.
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Dated: March 23, 2009

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-/s/- Scott D. Wiener

By _____

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To clarify, the discovery cutoff is extended for ALL parties until May 1, 2009.
The deadline to disclose experts is April 1, 2009.
The deadline for ALL parties to complete expert discovery is May 1, 2009.
Plaintiff may take a total of 17 depositions, now including the depositions of Ms. Masi and Dr. Imara
(who were previously unavailable).

Dated: March 24, 2009

