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 14 [Refer to signature page for the complete list of parties represented]

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

17 FREDDIE M. DAVIS,)	Case No. C09-02629 SI
)	
18 Plaintiff,)	AMENDED STIPULATION AND
)	← [PROPOSED] ORDER TO MODIFY CASE
19 v.)	MANAGEMENT ORDER
)	
20 PRISON HEALTH SERVICES; et al.,)	[FRCP 16(b)(4)]
)	
21 Defendants.)	
)	

23 Pursuant to Federal Rule of Civil Procedure 16(b)(4), Plaintiff Freddie M. Davis and
 24 Defendants County of Alameda, James E. Ayala, and Darryl Griffith hereby stipulate as follows:

25 WHEREAS, Defendants' motion for summary judgment was originally set for hearing on
 26 June 24, 2011;

28

1 WHEREAS, the Court's Case Management Order sets the following schedule for expert
2 discovery: Expert Disclosures, July 15, 2011, Rebuttal Disclosures July 20, 2011, and Expert
3 Discovery Cut-off August 19, 2011;

4 WHEREAS, for good cause shown, the Court previously rescheduled the dispositive
5 motion briefing and hearing schedule to accommodate a new hearing date of July 15, 2011;

6 WHEREAS, based upon the preference of the parties to obtain the Court's ruling on the
7 dispositive motion prior to incurring the substantial expense of retaining and/or disclosing
8 experts, the previous Scheduling Order allowed three weeks from the date of the dispositive
9 motion hearing to make expert disclosures;

10 WHEREAS the parties continue to hold the view that it is more prudent and economical to
11 await the decision of the Court on the summary judgment motion before incurring the
12 considerable expense of retaining and/or disclosing experts; and

13 WHEREAS, the parties request that the Court similarly allow three weeks from the new
14 date of the dispositive motion hearing to begin the process of making expert disclosures, rebuttal
15 disclosures and expert discovery; and

16 WHEREAS, the parties have previously requested two modifications of the Case
17 Management Order by stipulation;

18 **NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE**, based
19 on the foregoing circumstances, to request that the Court establish the following modified
20 deadlines:

21	Expert Disclosures	August 5, 2011
22	Rebuttal Expert Disclosures	August 19, 2011
23	Expert Discovery Cut-Off	September 9, 2011

24
25
26 Dated: July 11, 2011

27 _____
28 /s/
FANIA E. DAVIS
Attorney for Plaintiff
FREDDIE M. DAVIS

