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Counsel for Plaintiff
BRUCE C. KYLES

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRUCE C. KYLES,

Plaintiff,

vs.

CITY OF PITTSBURG, et al.,

Defendants.

Case No. C-13-4695-WHO

**STIPULATION TO CONTINUE TRIAL DATE
AND OTHER APPLICABLE DATES;
ORDER**

[Jury Trial Demanded]

Trial: January 26, 2015

TO THE HONORABLE COURT TO ALL PARTIES AND COUNSEL OF RECORD:

Counsel for Plaintiff was to proceed to trial in the matter *Helm v. USA* (2:11-cv-01703-MCE-EFB) on December 1, 2014. That trial was to proceed in the Eastern District of California. However, the Court in the *Helm* matter, Honorable Morrison C. England, Jr., continued the trial thereof *sua sponte* to January 26, 2015, on about April 23, 2014 (Order signed April 22, 2014, but filed and served April 23, 2014).

In view of the obvious conflict with the trial date in this case, Plaintiff's counsel conferred with experts and clients in both cases affected by the calendar conflict. He then conferred with counsel in the matter now before this Court. The present schedule in this case is as follows:

Trial:	January 26, 2015	8:30 a.m.
Deadline to amend/add parties:	May 31, 2014	
Discovery cutoff:	July 31, 2014	
Expert disclosure:	August 29, 2014	
Expert rebuttal:	September 12, 2014	
Expert discovery cutoff:	October 15, 2014	
Motions heard by:	September 17, 2014	

At the request of Plaintiff's counsel, in view of the conflict posed by the change in the earlier filed case before Judge England, with regard to the several trial calendars of all involved attorneys for both Plaintiff and Defendants in this action, the parties hereto, through the undersigned counsel, stipulate as follows:

Trial:	August 17, 2015	8:30 a.m.
Pre-trial Conference:	July 6, 2015	2:00 p.m.
Deadline to amend/add parties:	May 31, 2014	[No change]
Discovery cutoff:	January 30, 2015	
Expert disclosure:	February 27, 2015	
Expert rebuttal:	March 13, 2015	
Expert discovery cutoff:	April 3, 2015	
Motions heard by:	April 8, 2015	

Date: June 20, 2014

By: /s/ Russell A. Robinson
 Russell A. Robinson
 Law Office of Russell A. Robinson
 Counsel for Plaintiff
 BRUCE C. KYLES

Date: June 20, 2014

By: /s/ Dale Allen, Jr.
 Dale Allen, Jr.
 Allen, Glaessner, Hazelwood & Werth
 Counsel for Defendants
 CITY OF PITTSBURG, ET AL.

**ORDER GRANTING IN PART AND DENYING IN PART THE PARTIES' STIPULATION TO MODIFY
CASE SCHEDULE**

I have reviewed the Stipulation and the declaration of counsel. There is no good cause to change any of the dates previously agreed to by the parties and ordered by the Court, particularly since the trial before the Hon. Morrison C. England, Jr., referenced above, is no longer a conflict. I will not change the trial date. However, to assist the parties out of a problem of their own making, I will extend the following events to the new dates listed below:

Discovery cutoff:	September 15, 2014
Expert disclosure:	September 15, 2014
Expert rebuttal:	October 3, 2014
Expert discovery cutoff:	October 17, 2014
Motions heard by:	October 22, 2014

Trial remains set for **January 26, 2015**. The pretrial conference is set for **December 15, 2014**. A further Case Management Conference is set for **September 23, 2014** at 2 p.m. A further Joint Case Management Statement is due on **September 16, 2014**. The parties shall mediate this matter by **October 21, 2014**; in the event the parties wish to utilize the Court's ADR Unit for that purpose, within seven days they shall set up an appointment to schedule the mediation.

In light of this Order, there is no need for counsel to appear at the Case Management Conference scheduled for July 8, 2014 unless there is an issue concerning any of the dates listed above.

Date: July 2, 2014


Honorable WILLIAM H. ORRICK
United States District Judge