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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHAUN A. ANDERSON, etc.,

Plaintiff,

v.

COUNTY OF CONTRA COSTA, a
municipal corporation, et al.,

Defendants.

Case No. 15-CV-01673-RS

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND DEADLINE FOR
DISCLOSURE OF EXPERT WITNESSES
AND PRETRIAL MOTIONS**

ADR L.R. 6-2 & Civil L.R. 7-12

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1 The parties to the above-entitled action, through their undersigned counsel, hereby
2 stipulate and agree to the following:

3 WHEREAS, on September 24, 2015, the Court entered a Case Management Scheduling
4 Order (“Scheduling Order”), setting the deadline for the parties to disclose their expert witnesses
5 for April 15, 2016. *See* Dkt #42.

6 WHEREAS, the Scheduling Order set the deadline for the parties to designate their
7 supplemental and rebuttal experts on or before May 13, 2016. *See* Dkt #42.

8 WHEREAS, the Scheduling Order set the deadline for the parties to complete all
9 discovery of expert witnesses for June 17, 2016. *See* Dkt #42.

10 WHEREAS, the Scheduling Order set the deadline for all pretrial motions to be heard by
11 July 28, 2016. *See* Dkt #42.

12 WHEREAS, on January 8, 2016, the Court entered an Order to Extend Time to
13 Complete Mediation in this case by July 17, 2016. *See* Dkt #45.

14 WHEREAS, since the entry of the Scheduling Order and the Order to Extend Time to
15 Complete Mediation, the parties have been attempting to resolve certain written discovery
16 disputes without the Court’s intervention.

17 WHEREAS, the parties resolved that they need additional time to schedule depositions
18 critical to the mediation prior to making their expert witness disclosures.

19 WHEREAS, the parties need additional time to evaluate the strength of their respective
20 cases and determine whether expert witnesses will be needed.

21 WHEREAS, after the deadline to complete all disclosure of expert witnesses pursuant to
22 Federal Rule of Civil Procedure 26(b)(4), the parties need the opportunity to file pretrial motions
23 in order to address any evidentiary or other issues related to the expert witnesses.

24 WHEREAS, this extension will not affect the trial date of October 17, 2016. *See* Dkt.
25 #42.

26 WHEREAS, the parties make this request in good faith and not for the purposes of delay.
27
28

1 THEREFORE, based on the foregoing facts, the parties stipulate and agree to extend the
2 deadline to disclose expert witnesses in this case by 60 days. As a result, the schedule of this
3 case will be modified as follows:

- 4 1. The last day for the parties to designate their experts in accordance with Federal
5 Rule of Civil Procedure 26(a)(2) is June 14, 2016.
- 6 2. The last day for the parties to designate their supplemental and rebuttal experts
7 in accordance with Federal Rule of Civil Procedure 26(a)(2) is July 14, 2016.
- 8 3. The last day for the parties to complete all discovery of expert witnesses pursuant
9 to Federal Rule of Civil Procedure 26(a)(2) is August 12, 2016.
- 10 4. The last day for pretrial motions to be heard is September 9, 2016.

12 Dated: February 24, 2016

13 /s/Robert M. Blakemore
14 Robert M. Blakemore
15 SMOLEN SMOLEN & ROYTMAN, PLLC

16 /s/ David M. Given
17 David M. Given
18 PHILLIPS, ERLEWINE, GIVEN & CARLIN LLP

19 Attorneys for Plaintiff

Dated: February 24, 2016

/s/ James V. Fitzgerald, III
James V. Fitzgerald, III
McNAMARA, NEY, BEATTY,
SLATTERY, BORGES &
AMBACHER, LLP
Attorneys for Defendants

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ATTESTATION

I, David M. Given, am the ECF user whose identification and password is being used to file the instant document. Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest that all counsel whose electronic signatures appear above provided their authority and concurrence to file this document.

/s/ David M. Given
David M. Given

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ORDER

PURSUANT TO THE FOREGOING STIPULATION, IT IS SO ORDERED that the schedule of this case shall be modified as follows:

1. The last day for the parties to designate their experts in accordance with Federal Rule of Civil Procedure 26(a)(2) shall be June 14, 2016.
2. The last day for the parties to designate their supplemental and rebuttal experts in accordance with Federal Rule of Civil Procedure 26(a)(2) shall be July 14, 2016.
3. The last day for the parties to complete all discovery of expert witnesses pursuant to Federal Rule of Civil Procedure 26(a)(2) shall be August 12, 2016.
4. The last day for pretrial motions to be heard shall be September 9, 2016.

Dated: 2/29/16



Honorable Richard Seeborg
United States District Judge

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