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 11 JAMES NEUROTH

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14 JAMES NEUROTH, *et al.*,

15 Plaintiffs,

16 v.

17 MENDOCINO COUNTY, *et al.*,

18 Defendants.

Case No. 3:15-CV-03226-RS

**STIPULATION TO CONTINUE TRIAL
 AND PRETRIAL DATES; ~~[PROPOSED]~~
 ORDER**

19 This Stipulation to modify the trial and pretrial schedule, is submitted by all parties in this
 20 action, through their respective counsel, including: Plaintiff James Neuroth (“Plaintiff”); Defendants
 21 the County of Mendocino, Mendocino County Sheriff Thomas Allman, Sheriff’s Captain Timothy
 22 Pearce, and current/former Sheriff’s Deputies Lorrie Knapp, Frank Masterson, Craig Bernardi,
 23 Michael Grant, Robert Page, and Christine De Los Santos (collectively, “County Defendants”);
 24 California Forensic Medical Group, Inc. and LVN Jennifer Caudillo (collectively, “CFMG
 25 Defendants”); and the City of Willits and current/former Willits Police Officers Kevin Leef and Jeff
 26 Andrade (collectively, the “Willits Defendants”). Pursuant to this Stipulation, the parties jointly
 27 request the Court to modify the trial date and pretrial deadlines, as set forth below.

1 **RECITALS**

2 On October 3, 2018, counsel for all parties had a settlement conference scheduling call with
3 Judge Beeler, and Judge Beeler scheduled a further settlement conference in this case for her first
4 available date: November 26, 2018. Judge Beeler also suggested that, given the uncertainty around
5 the current January 7, 2019 trial date, the parties should consider continuing the trial and pretrial
6 dates to commence after the settlement conference to conserve attorneys' fees and costs. Thereafter,
7 the parties met and conferred and agreed to inquire with this Court as to this Court's other trial
8 conflicts on January 7, 2019, and the feasibility of continuing pretrial deadlines. The parties now
9 understand that there continues to be uncertainty as to whether this case can be tried on January 7,
10 2019, and that such uncertainty will likely persist until at least December 7, 2018 (after the
11 December 6, 2018 pretrial conference in this case). Further, the current pretrial filing deadlines
12 would require the parties to expend considerable time and resources in advance of the settlement
13 conference.

14 **AGREEMENT**

15 Therefore, to conserve the parties' resources in advance of the settlement conference and to
16 allow for a more certain trial schedule, the parties stipulate and agree to vacate the current trial date
17 and pretrial conference, and set new pretrial dates as follows:

- 18 a. December 6, 2018: Case Management and Trial Setting Conference.
- 19 b. December 20, 2018: Last day to file Motions in Limine, and last day to
20 file Joint Pretrial Statement and Proposed Order (per the Court's Jury
21 Trial Standing Order, Section B). The parties will also exchange any new
or previously undisclosed exhibits to be used at trial other than solely for
impeachment or rebuttal.
- 22 c. January 24, 2019: Oppositions to Motions in Limine due.
- 23 d. February 20, 2019, at 10:00 a.m.: Final Pretrial Conference.
- 24 e. The parties will exchange pre-marked binders of trial exhibits two weeks
25 before the new trial date.
- 26 f. All other dates will be in accordance with this Court's Jury Trial Standing
27 Order.

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IT IS SO STIPULATED.

Patton & Ryan LLC

Dated: October 9, 2018

By: /s/ Michael G. Vranicar
Michael G. Vranicar
Attorneys for County Defendants

Bertling Law Group

Dated: October 9, 2018

By: /s/ Peter G. Bertling
Peter G. Bertling
Attorneys for Defendant CMFG

Dated: October 9, 2018

By: /s/ Jerome Varamini
Jerome Varanini
Attorney for Defendant Jennifer Caudillo

Perry, Johnson, Anders, Miller &
Moskowitz LLP

Dated: October 9, 2018

By: /s/ Scott A. Lewis
Scott A. Lewis
Attorneys for Willits Defendants

Haddad & Sherwin LLP

Dated: October 9, 2018

By: /s/ Michael J. Haddad
Michael J. Haddad
Attorneys for Plaintiff

* Approval in the filing of this document has been obtained from all signatories.

1 **ORDER**

2 Based on the parties' stipulation, and with good cause appearing therefore,

3 IT IS HEREBY ORDERED that the following dates are set in the instant case:

- 4 a. December 6, 2018: Case Management and Trial Setting Conference.
- 5 b. December 20, 2018: Last day to file Motions in Limine, and last day to
- 6 file Joint Pretrial Statement and Proposed Order (per the Court's Jury
- 7 Trial Standing Order, Section B). The parties will also exchange any new
- 8 or previously undisclosed exhibits to be used at trial other than solely for
- 9 impeachment or rebuttal.
- 10 c. January 24, 2019: Oppositions to Motions in Limine due.
- 11 d. February 20, 2019, at 10:00 a.m.: Final Pretrial Conference.
- 12 e. The parties will exchange pre-marked binders of trial exhibits two weeks
- 13 before the new trial date.
- 14 f. All other dates will be in accordance with this Court's Jury Trial Standing
- 15 Order.

16 IT IS SO ORDERED.

17 Date: 10/9/18

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19 _____
20 HONORABLE RICHARD SEEBORG
21 United States District Court Judge