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 DEPUTY SHERIFF DENNIS LOUBAL
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8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

11 OSMAN YOUSIF,

12 Plaintiff,

13 vs.

14 DEPUTY SHERIFFS DENNIS LOUBAL,
 15 DEFRANCE MCLEMORE, AND DOES 1-100

16 Defendants.

Case No. 3:15-cv-04887-WHA

**PARTIES' STIPULATION AND REQUEST
 FOR AN ORDER CHANGING TIME FOR
 NON-EXPERT AND EXPERT DISCOVERY**

[Pursuant to Civil L.R. 6-2 and 7-12]

Dept.: Courtroom 8, 19th Floor
 Judge: Hon. William H. Alsup

1 COMES NOW Defendants Deputy Sheriffs Dennis Loubal and DeFrance McLemore
2 (collectively, "County Defendants") and Plaintiff Osman Yousif, through their attorneys of record,
3 hereby respectfully request an extension of one month to complete non-expert and expert discovery.

4 1. Pursuant to Local Civil Rule 6-2, the parties to this action have conferred and jointly
5 submit this Stipulated Request for Order Changing Time regarding the December 16, 2016 deadline for
6 expert and non-expert discovery.

7 2. On May 4, 2016, the Rule 26(f) conference occurred, and on May 5, 2016 this Court
8 issued the Case Management Order, which stated that "non-expert discovery cut-off date shall be
9 DECEMBER 16, 2016" and "the last date for designation of expert testimony and disclosure of full
10 expert reports under FRCP 26(a)(2) as to any issue on which a party has the burden of proof [] shall be
11 DECEMBER 16, 2016." (Dkt. 55 at 2:4, 5-9).

12 3. County Defendants served their Rule 26(a)(1) Initial Disclosures on April 27, 2016,
13 supplementing them with additional disclosures on May 12, 2016 and July 7, 2016. (Dkt. 63 at 2).
14 Plaintiff served his Rule 26(a)(1) Initial Disclosures on August 23, 2016, and served Amended
15 Disclosures on September 6, 2016. (Dkt. 70-1). On September 7, 2016, this Court held a hearing on
16 related discovery disputes. (Dkt. 72, 73).

17 4. County Defendants began taking Plaintiff's deposition on September 23, 2016. (Dkt.
18 76). In light of a discovery dispute that arose during the deposition, the deposition was suspended and the
19 parties appeared before the Court on October 6, 2016. (Dkts. 76, 79). Plaintiff conducted Defendant
20 Sergeant Dennis Loubal's deposition on November 9, 2016 and Defendant Deputy DeFrance
21 McLemore's deposition on November 10, 2016. The continuation of Plaintiff's deposition is scheduled
22 for November 17, 2016.

23 5. The parties are jointly requesting that the non-expert and expert discovery deadlines be
24 extended to January 13, 2017.

25 6. The requested relief is for good cause. The numerous discovery disputes that have arisen
26 in this case have resulted in lengthy delays in the timely and efficient conducting of discovery.

27 7. The stipulated one-month extension of the non-expert and expert discovery cut-off
28 deadline will not cause any undue delay in the administration of this case. The last date to file

1 dispositive motions is set for January 26, 2017, the final pretrial conference is set for March 29, 2017 and
2 the jury trial is scheduled to begin on May 1, 2017. (Dkt. 55 at 4:15, 19, 12).

3 IN WITNESS WHEREOF, County Defendants and Plaintiff stipulate and respectfully move the
4 Court to grant the extension of the discovery cut-off for non-expert and expert discovery to January 13,
5 2016. The parties believe that such a stipulation is in the interest of justice and judicial economy.
6

7 Dated: November 17, 2016

Respectfully submitted,

8 JOHN C. BEIERS, COUNTY COUNSEL

9
10 By: _____ /s/ _____.

11 Rebecca B. Horton, Deputy

12 Attorneys for Defendants
13 DEPUTY SHERIFF DENNIS LOUBAL
DEPUTY SHERIFF DEFRANCE MCLEMORE

14 Dated: November 16, 2016

Respectfully submitted,

15
16
17 By: _____ /s/ _____.

18 Russell Robinson, Attorney


19 Attorneys for Plaintiff
20 OSMAN YOUSIF

21 **ORDER**

22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

23 The parties shall not rely on this extension as the basis for
24 seeking future extensions.

25 DATED: _____ November 29, 2016.

26 
27 _____
28 The Honorable William A. Alsup