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CHIEF BRIAN ADDINGTON, PITTSBURG POLICE
9 OFFICERS ERNEST MEJIA, JASON WAITE, WILLIE
GLASPER, GABRIEL PALMA, JONATHAN ELMORE,
10 PATRICK BERHAN

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

14 HUMBERTO MARTINEZ, Deceased,
through his Co0Successors in Interest,
15 H.R.M., Jr., a minor through his mother and
Next Friend Priscilla Sandoval
16 Vanarendonk, individually and as successor
in interest for HUMBERTO ROSARIO
17 MARTINEZ, Deceased, and A.M., a minor,
through her mother and Next Friend Tina
18 Anglin, individually and as successor in
interest for HUMBERTO ROSARIO
19 MARTINEZ, Deceased; and JAMIE ANN
COX, individually,

20 Plaintiffs,

21 vs.

22 CITY OF PITTSBURG, a public entity;
23 CITY OF PITTSBURG POLICE CHIEF
BRIAN ADDINGTON, in his individual
24 and official capacities; PITTSBURG
POLICE OFFICERS ERNEST MEJIA,
25 JASON WAITE, WILLIE GLASPER,
GABRIEL PALMA, JONATHAN
26 ELMORE, PATRICK BERHAN, and
DOES 1-10, Jointly and severally,

27 Defendants.
28

Case No. C17-04246 RS

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE THE EXPERT
DISCOVERY DEADLINE AND
PRETRIAL CONFERENCE
AS MODIFIED BY THE COURT**

Judge: Hon. Richard Seeborg

PTC Date: April 11, 2019
Trial Date: May 6, 2019

STIPULATION AND ORDER TO CONTINUE
EXPERT DISCOVERY DEADLINE AND
PRETRIAL CONFERENCE, C17-04246 RS

1 PLAINTIFFS and DEFENDANTS, by and through their respective counsel, hereby
2 stipulate to the following:

3 WHEREAS the parties are respectfully requesting that the Court continue the expert
4 discovery deadline from March 7, 2019, to March 29, 2019, and are also requesting the Court
5 move the Pretrial Conference in this matter from April 11, 2019, to April 26, 2019. The Court
6 mentioned at the hearing on the Motion for Summary Judgment that even though the Court
7 normally conducts Pretrial Conferences on Thursdays, the Court was inclined to specially set the
8 Pretrial Conference in this case for a Wednesday or a Friday, so the parties propose Friday, April
9 26th for the Pretrial Conference, if the Court is amenable to that date (otherwise the parties could
10 also do April 24th).

11 WHEREAS the parties require additional time to conduct expert discovery including
12 taking the depositions of several out of state expert witnesses, which have been delayed due to
13 difficulty in scheduling these out of state depositions, as further complicated by trial schedules of
14 lead trial counsel for both parties. Furthermore, counsel for Defendants starts ten day wrongful
15 death trial with Judge Tigar, starting March 4th, in *Rucks v. City of Antioch et al.*, (C16-03742
16 JST), which is impacting expert discovery as well, and pretrial deadlines per the current Pretrial
17 Conference date.

18 WHEREAS the parties discussed these continuances with Your Honor on February 7th at
19 the hearing on the Motion for Summary Judgment and Your Honor indicated a willingness to
20 move these dates back per the agreement of the parties, requesting the parties file this stipulation
21 and proposed order.

22 WHEREAS good cause exists to continue the expert discovery deadline as well as the
23 date of the Pretrial Conference.

24 WHEREFORE, the parties by and through their respective counsel, respectfully seek an
25 Order from the Court to continue the key deadlines in this matter as follows:

- 26 • To continue the expert discovery deadline from March 7, 2019, to March 29, 2019.
- 27 • To continue the Pretrial Conference from April 11, 2019, to April 26, 2019

28 IT IS SO STIPULATED

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1 The parties attest that concurrence in the filing of these documents has been obtained from
2 each of the other Signatories, which shall serve in lieu of their signatures on the document.

3 Dated: February 11, 2019

MCNAMARA, NEY, BEATTY, SLATTERY,
BORGES & AMBACHER LLP

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6 By: /s/ Blechman, Noah G.
Noah G. Blechman/Amy S. Rothman
Attorneys for Defendants

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8 Dated: February 11, 2019

HADDAD & SHERWIN, LLP


9 By: /s/ Sherwin, Julia
Michael Haddad
Julia Sherwin
Maya Sorensen
Attorney for Plaintiffs

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14 **ORDER**

15 Pursuant to the parties' stipulation and on a showing of good cause, the Court orders that
16 the expert discovery deadline, currently set for March 7, 2019, is hereby reset to March 29, 2019,
17 and that the Pretrial Conference, previously scheduled for April 11, 2019, will now be held on
18 April ~~26~~²⁴, 2019, at 10:00 AM.

19 **IT IS SO ORDERED.**

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21
22 Dated: 2/12/19,

By: 
HON. RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE