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14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 OAKLAND DIVISION
 17

18 Robert Lee Woodard,
 19 Plaintiff,

20 vs.

21 City of Menlo Park, et al.,
 22 Defendant.
 23

CASE NO. C 09-3331 SBA

**JOINT STIPULATION AND ORDER
 REGARDING DISCOVERY**

Date: July 5, 2012
 Dept: Courtroom 1, 4th Floor
 Judge: Hon. Sandra B. Armstrong

24 In accordance with Civil Local Rules 6-2 and 7-12, Plaintiff Robert Lee Woodard
 25 (“Plaintiff”) and Defendant Officer Ron Venzon (“Defendant”), acting by and through their
 26 respective counsel of record, hereby submit this stipulated request to amend the Court’s
 27 scheduling order filed on June 11, 2012 (Docket No. 85) (“Scheduling Order”) as follows:
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1 1. Plaintiff requests leave to depose as a fact witness the emergency room physician
2 that treated Plaintiff when he was hospitalized from February 4, 2007 through February 6, 2007
3 as a result of the events that occurred on the evening of February 3, 2007, which form the basis
4 for this lawsuit. This discovery is necessary so that Plaintiff may continue to gather facts about
5 the extent of injury suffered as a result of the events of February 3, 2007 and prepare for the
6 upcoming settlement conference and trial. Defendant does not oppose this request.

7 2. Plaintiff requests leave to extend the deadline to exchange Rule 26 reports with
8 Defendant until at least one week prior to the dates scheduled for the expert depositions. Under
9 the Court's current Scheduling Order, Plaintiff must designate its use-of-force and medical
10 experts no later than 30 days from the filing date of that Scheduling Order. That deadline falls on
11 July 11, 2012. Plaintiff therefore proposes to notify Defendant of its choice of medical and use-
12 of-force experts on or before July 11, 2012, and to set an appropriate deadline for exchanging
13 expert reports once those depositions are scheduled. Plaintiff requests this additional time to
14 complete its Rule 26 reports due to the difficulty it has faced locating and retaining experts on
15 short notice to work under the expedited schedule of this case. Defendant does not oppose this
16 request. In turn, Plaintiff will not object if Defendant seeks to designate a rebuttal medical expert.

17 3. Plaintiff requests leave to propound no more than five (5) interrogatories on
18 Defendant. In its Scheduling Order, the Court granted leave for Plaintiff to propound no more
19 than ten (10) document requests, and Plaintiff now believes that a limited number of
20 interrogatories are necessary to supplement those document requests. Defendant does not oppose
21 this request.

22 This is the first modification Plaintiff has sought of the Court's Scheduling Order, and the
23 proposed modifications would have no effect on the discovery cut-off of August 10, 2012.

24 **NOW, THEREFORE, IT IS HEREBY STIPULATED, CONSENTED TO AND**
25 **AGREED AS FOLLOWS:**

- 26 1. Plaintiff will notice the deposition of the physician that treated Mr. Woodard at
27 Stanford Hospital following the events occurring on February 3, 2007, which form
28 the basis of this lawsuit.

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- 2. On or before July 11, 2012, Plaintiff will provide notice of the use-of-force and medical experts it has retained to provide testimony in this case.
- 3. Plaintiff will exchange its Rule 26 reports for both experts no later than one week prior to the dates scheduled for the depositions of those experts.
- 4. Plaintiff will propound no more than five (5) interrogatories on Defendant.

DATED: July 5, 2012

PETER C. MEIER
KRISTIN M. HALL
PAUL HASTINGS LLP

By: _____ /s/ _____
PETER C. MEIER

Attorneys for Plaintiff
ROBERT LEE WOODARD

In accordance with General Order No. 45, Section X(B), the above signatory attests that concurrence in the filing of this document has been obtained from the signatory below.

DATED: July 5, 2012

JORGENSON, SIEGEL
McCLURE & FLEGEL, LLP

By: _____ /s/ _____
NICOLAS A. FLEGEL

Attorneys for Defendant
RON VENZON

ORDER

The Joint Stipulation Regarding Discovery is hereby adopted by this Court.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 7/9/12

Saundra B. Armstrong
THE HON. SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT COURT JUDGE