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 9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

<p>12 SANTIAGO CRUZ, 13 Plaintiff, 14 v. 15 ZAHED UDDIN AHMED, et al. 16 Defendant.</p>	<p>Case No. 4:15-cv-01855 (KAW) STIPULATION TO CONTINUE TRIAL AND MODIFY SCHEDULING ORDER; [PROPOSED] ORDER <u>AS MODIFIED</u> Judge: Hon. Kandis A. Westmore Trial Date: July 16, 2018 Action Filed: April 4, 2016</p>
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19 Civil L.R. 40-1 provides that the Court may continue a scheduled trial date in response to a
 20 motion made in accordance with the provisions of Civil L.R. 7. Under Civil L.R. 7, motions
 21 include stipulations by the affected parties. (See Civil L.R. 7-1(a)(5) and 7-12.)

22 Pursuant to the Local Rules and this stipulation, the parties request an order continuing trial
 23 of this matter and modification of the current scheduling order. The parties’ stipulation and
 24 request is based on the scheduling needs of both plaintiff and defense counsel.

25 On January 23, 2018, defendant’s counsel underwent arthroscopic knee surgery, which
 26 required a longer-than-anticipated recovery period of two weeks. Thus, the parties were unable to
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1 complete scheduled depositions necessary to evaluate and prepare dispositive motions and
2 meaningfully engage in the settlement conference previously scheduled for February 23, 2018.

3 Defendant's counsel will undergo another knee operation in June 2018 with a recovery time
4 of eight to twelve weeks, and will therefore be unavailable for trial and unable to devote adequate
5 time and resources to prepare for trial on the currently scheduled date of July 16, 2018. Plaintiff's
6 counsel is now also scheduled to begin a jury trial with multiple parties in a separate matter on
7 July 2, 2018 and may also be unavailable for trial on the currently scheduled trial date and/or
8 unable to devote adequate time and resources to prepare for trial.

9 Based on the foregoing, the parties request that the court continue trial of this matter from
10 July 16, 2018 to October 9, 2018 and that the court vacate all presently set deadlines and
11 hearings, including the settlement conference currently scheduled for February 21, 2018.

12 The parties request the following pre-trial schedule [**the Court's modifications are in**
13 **bold**]:

14	Non-expert Discovery Cut-off	April 13, 2018
15	Expert Disclosure and Reports Provided	April 20, 2018
16	Rebuttal Expert Disclosure and Reports Provided	May 11, 2018
17	Expert Discovery Cutoff	June 8, 2018
18	Last day to Hear Dispositive Motions	July 19, 2018
19	Meet and Confer (re: pretrial conference)	August 20, 2018
20	Joint Pretrial Statement / Trial Filings	August 30, 2018
21	Objections/Motions in Limine	September 14, 2018
22	Pretrial Conference	September 26 , 2018
23	Trial	October 9, 2018

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Dated: January 25, 2018

Respectfully submitted,
XAVIER BECERRA
Attorney General of California
JEFFREY R. VINCENT
Supervising Deputy Attorney General

/s/ Rohit Kodical

ROHIT KODICAL
Deputy Attorney General
Attorneys for Defendant Dr. Ahmed

Dated: January 25, 2018

JULIA R. GRAESER

/s/ Julia R. Graeser

R. MORGAN GILHULY
JULIA R. GRAESER
BARG, COFFIN, LEWIS & TRAPP, LLP
Attorneys for Plaintiff Santiago Cruz

ORDER

The stipulation is GRANTED AS MODIFIED.

IT IS SO ORDERED.

Dated: February 6, 2018


KANDIS A. WESTMORE
United States Magistrate Judge