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E-FILED - 1/29/09

11 UNITED STATES DISTRICT COURT
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 (San Jose Division)

14 TRACY WATSON et al.,)	No. C06-4029 RMW
15 Plaintiff,)	STIPULATION AND ORDER TO CONTINUE TRIAL AND ALL PRETRIAL DEADLINES
16 v.)	
17 COUNTY OF SANTA CLARA et al.,)	
18 Defendants.)	

20 The parties in the above-captioned action submit the following Stipulation and Proposed
 21 Order for the purpose of requesting that the Court continue the trial, presently set for May 11,
 22 2009, and all pretrial deadlines. This request is based on the ground that there are multiple
 23 pending motions to dismiss the fourth amended complaint filed by the Evergreen School
 24 District and the County Defendants. The parties have agreed to reset the hearing on these
 25 motions to March 20, 2009. Due to the status of the pleadings this case will not be ready for
 26 trial on May 11, 2009.

27 Accordingly, the parties stipulate to have the trial date and all pretrial deadlines, including
 28 the last date to hear dispositive motions and all fact discovery and expert discovery deadlines,

1 continued as set forth in the following schedule:

2 1. Amendment to Pleadings

3 The parties will not add any new parties to this action. Plaintiffs agree that prior to filing
4 any further amended pleading they will obtain Court approval.

5 2. Motions to Dismiss Fourth Amended Complaint

6 The parties agree that the pending motions to dismiss the Fourth Amended Complaint
7 filed by the Evergreen School District Defendants and County Defendants will be re-set for
8 hearing on March 20, 2009.

9 3. Discovery

10 a. Non-Expert Discovery cut-off

11 Non-expert discovery will be completed by June 5, 2009.

12 b. Expert Disclosure

13 The parties will disclose experts no later than August 17, 2009.

14 c. Rebuttal Expert Witnesses

15 The parties will disclose rebuttal experts no later than September 17, 2009.

16 d. Expert Discovery cut-off

17 Expert discovery will be completed by October 16, 2009.

18 4. Deadline for Hearing Pretrial Motions

19 The final date for hearing on dispositive motions will be June 26, 2009.

20 5. Final Pretrial Conference

21 The parties are agreeable to participating in a Final Pretrial Conference on December 17,
22 2009.

23 6. Trial

24 The parties agree to commence trial on January 25, 2010.

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ORDER CONTINUING TRIAL AND ALL PRETRIAL DEADLINES

The Court, having considered the stipulation of the parties and finding good cause, hereby orders the following:

1. Amendment to Pleadings

The parties may not add any new parties to this action. Plaintiffs must obtain Court approval prior to filing any further amended pleadings.

2. Motions to Dismiss Fourth Amended Complaint

The pending motions to dismiss the Fourth Amended Complaint filed by the Evergreen School District Defendants and the County Defendants are reset for hearing on March 20, 2009.

3. Discovery

a. Non-Expert Discovery cut-off

Non-expert discovery will be completed by June 5, 2009.

b. Expert Disclosure

The parties will disclose experts no later than August 17, 2009.

c. Rebuttal Expert Witnesses

The parties will disclose rebuttal experts no later than September 17, 2009.

d. Expert Discovery cut-off

Expert discovery will be completed by October 16, 2009.

4. Deadline for Hearing Pretrial Motions

The final date for hearing on dispositive motions will be June 26, 2009.

5. Final Pretrial Conference

The Final Pretrial Conference is set for December 17, 2009.

6. Trial

Trial is set to commence on January 25, 2010.

IT IS SO ORDERED.

Dated: 1/29/09

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HONORABLE RONALD M. WHYTE
United States District Court Judge