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16 **UNITED STATES DISTRICT COURT**  
 17 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

19 REUBEN JOSEPH REYES,  
 20 Plaintiff,  
 21 vs.  
 22 ROBERT A. HOREL, et al.,  
 23 Defendants.

CASE NO. C 08-4561 RMW (PR)

**STIPULATION AND []  
 ORDER CONTINUING:**

- 1. NON-EXPERT DISCOVERY CUT-OFF;**
- AND**
- 2. RELATED DEADLINES**

**[Civil Local Rules 6-2 and 7-12]**

Honorable Ronald M. Whyte



1 modifications in this action include: a) Defendants’ motion to change time for filing a dispositive  
 2 motion, which was granted by this Court on April 15, 2009 (Docket No. 21); b) a second motion  
 3 to change time filed by Defendants in order to enable Defendant Chadwick to join Defendants  
 4 Horel, Berkler, Harrison, and Fischer’s Motion for Summary Judgment, granted by this Court on  
 5 August 25, 2009 (Docket No. 65).); c) a Stipulation and [Proposed] Order Continuing: 1. Non-  
 6 Expert Discovery Cut-Off; and 2. Related Deadlines (Docket No. 104), filed May 27, 2011; d) a  
 7 Stipulation and [Proposed] Order Continuing: 1. Non-Expert Discovery Cut-Off; and 2. Related  
 8 Deadlines (Docket No. 105), filed June 30, 2011; and

9  
 10           6.       WHEREAS, with respect to Civil L.R. 6-2(a)(3), a one-month continuance  
 11 of the Non-Expert Discovery Cut-Off and related deadlines will likely delay the case and trial  
 12 accordingly, but due to the circumstances cannot reasonably be avoided;

13  
 14           NOW, THEREFORE, IT IS HEREBY STIPULATED AND REQUESTED that the  
 15 Court continue the Non-Expert Discovery Cut-Off to **October 31, 2011** and continue all related  
 16 deadlines as follows:

18	December 12, 2011	Last day to complete expert discovery.
19	January 9, 2012	Last day to meet and confer about clarifying and narrowing issues for trial, potential stipulations of fact, anticipated motions in limine, objections to evidence, jury instructions and possible settlement.
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22	January 27, 2012	Last Day for hearing on dispositive motions.
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25	February 10, 2012	Last day to file joint pretrial statement; last day to file trial briefs, findings of fact, witness lists, designations of discovery excerpts, jury instructions, voir dire and verdict forms, and exhibits.
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27	February 24, 2012	Last day to file motions in limine and objections to
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evidence.

March 7, 2012 Last day to file oppositions to motions in limine and objections to evidence.

March 16, 2012 Last day to file replies to motions in limine and objections to evidence.

March 4; , 2012 "Retrial conference and hearing on motions in limine.

April ; , 2012 Trial

**E-FILING ATTESTATION**

By his signature below, and pursuant to General Order 45, counsel for Defendants attests that counsel for all parties whose electronic signatures appear below have concurred in the filing of this Stipulation.

Dated: September 13, 2011

By: /s/ William J. Newsom  
PEARSON, SIMON, WARSHAW & PENNY, LLP  
*Attorneys for Plaintiff REUBEN JOSEPH REYES*

Dated: September 13, 2011

By: /s/ Michael J. Quinn  
  
*Attorneys for Defendants FISCHER, HARRISON, HOREL, TERRY, CHADWICK, and BERKLER*

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**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 10/12/11

  
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The Honorable Ronald M. Whyte  
United States District Court Judge