

1 #65909-3-104
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14 **IN THE UNITED STATES DISTRICT COURT**
 15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN JOSE DIVISION**

17	ESTATE OF GURMIT SINGH, et)	Case No. C09-00740 JW
18	al.)	
19)	STIPULATION AND [PROPOSED]
20	Plaintiffs,)	ORDER TO CONTINUE DISCLOSURE
21)	OF EXPERT WITNESS DATE
22	vs.)	
23)	
24	CITY OF GILROY, et al.,)	
25)	Complaint Filed: 2/19/09
26	Defendants.)	Trial Date: Not Yet Assigned
27)	
28)	[JURY TRIAL DEMANDED]

19 The parties have conducted extensive discovery in this case,
 20 and such discovery is ongoing. The parties have also repeatedly
 21 met and conferred with regard to discovery, through their counsel,
 22 including expert discovery. There is no trial date yet set in this
 23 matter, though there is a deadline for filing of dispositive
 24 motions at the end of August, 2010, and a Preliminary Pretrial
 25 Conference with Judge Ware, set for Monday, June 28, 2010.
 26 Regular, non-expert discovery is still ongoing, but will not
 27 conclude until as late as August 2, 2010, based upon Judge Ware's
 28

1 Scheduling Order, dated June 30, 2009. Since experts base their
2 opinions, in part, upon evidence obtained via non-expert discovery,
3 which will not be concluded until August 2, 2010, counsel have
4 agreed that the Disclosure of Expert Witnesses, slated for this
5 month, is somewhat premature for this case.

6 IT IS THEREBY STIPULATED, BY AND BETWEEN THE PARTIES, that the
7 Disclosure of Expert Witnesses, current scheduled for May 31, 2010,
8 shall be continued thirty (30) days, to June 30, 2010. The parties
9 further stipulate to a thirty (30) day continuance to the exchange
10 and lodging of any and all required expert reports (Fed. R. Civ. P.
11 26(a)(2)(B)).

12 All remaining dates and deadlines (e.g., rebuttal experts and
13 objection to experts' qualifications), including the date of the
14 June 28, 2010 Preliminary Pretrial Conference with Judge Ware,
15 shall remain unchanged from the Scheduling Order dated June 30,
16 2009.

17
18 Date: May 26, 2010 CASPER, MEADOWS, SCHWARTZ & COOK

19
20 /s/
21 BY: ANDREW C. SCHWARTZ
22 Attorneys for Plaintiffs,
ESTATE OF GURMIT SINGH, et al.

23 Date: May 26, 2010 BURTON, SCHMAL & DiBENEDETTO, LLP

24
25 /s/
26 BY: TIMOTHY J. SCHMAL
27 Attorneys for CITY OF GILROY, POLICE
28 CHIEF DENISE TURNER, CAPTAIN SCOT
SMITHEE, OFFICER RODRIGUEZ, SERGEANT
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ORDER

The Disclosure of Expert Witnesses, current scheduled for May 31, 2010, including the exchange and lodging of any and all required expert reports (Fed. R. Civ. P. 26(a)(2)(B)), shall be continued thirty (30) days, to June 30, 2010.

IT IS SO ORDERED.

Date: June 3, 2010



THE HONORABLE JAMES WARE,
JUDGE OF THE U.S. DISTRICT COURT.