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FILED

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 9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 11 SAN JOSE DIVISION

13 **ROY A. MONTES (aka RAYMOND**
MONTEZELLO),
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 Plaintiff,
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 v.
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 17 **RAFALOWSKI, et al.,**
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 Defendants.

C 09-0976 RMW

**JOINT STIPULATION TO EXTEND
 TIME TO CONDUCT EXPERT
 DEPOSITIONS OF DAVID TRISTAN
 AND DANIEL VASQUEZ UNDER
 LOCAL RULE 6-2**

|| ORDER

Judge The Honorable Ronald M.
 Whyte
 Action Filed: 3/6/2009

1 WHEREAS, the close of expert discovery is March 16, 2012 (Docket No. 55);

2 WHEREAS, Defendants Clemons and Rafalowski seek to take the deposition of Plaintiff's
3 expert, Daniel Vasquez;

4 WHEREAS, Plaintiff seeks to take the deposition of Defendants' expert, David Tristan;

5 WHEREAS, due to the experts' work schedules, there is insufficient time to conduct the
6 experts' depositions before the March 16, 2012 close of expert discovery;

7 THE PARTIES STIPULATE, by and through their attorneys of record, that the parties may
8 notice the depositions of David Tristan and Daniel Vasquez to occur on or before March 23,
9 2012, according to a schedule to be determined by the parties.

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Dated: March 6, 2012

/s/ Giam Nguyen
GIAM M. NGUYEN
Deputy Attorney General
*Attorneys for Defendants
Rafalowski and Clemons*

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Dated: March 6, 2012

/s/ Aaron Leiderman
AARON LEIDERMAN
Munger, Tolles & Olson LLP
*Attorneys for Plaintiff
Montes*

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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Dated: HEG HFG



RONALD M. WHYTE
United States District Judge

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CERTIFICATE OF SERVICE

Case Name: **R. Montes v. Rafalowski, et al.** No. **C 09-0976 RMW**

I hereby certify that on March 7, 2012, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

- 1. JOINT STIPULATION TO EXTEND TIME TO CONDUCT EXPERT DEPOSITIONS OF DAVID TRISTAN AND DANIEL VASQUEZ UNDER LOCAL RULE 6-2; [PROPOSED] ORDER**

- 2. DECLARATION OF G. NGUYEN IN SUPPORT OF THE PARTIES’ JOINT STIPULATION TO EXTEND TIME TO CONDUCT EXERT DEPOSITIONS**

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on March 7, 2012, at San Francisco, California.

S. Redd
Declarant

/s/ S. Redd
Signature