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8 MATT FOXWORTHY, JACKIE NOREN, and MARK HANGEBRAUCK

9
10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF CALIFORNIA**

13 LAWRENCE SPIES, SR., et al.,

14 Plaintiffs,

15 vs.

16 EL DORADO COUNTY, et al.,

17 Defendants.
18

) Case No.: 2:16-CV-02232–WBS–GGH

)
) **STIPULATION AND REQUEST TO**
) **MODIFY PRE-TRIAL SCHEDULING**
) **ORDER PURSUANT TO FRCP 16(b)**
) **[PROPOSED] ORDER THEREON**

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20 WHEREAS, the parties have been pursuing extensive discovery:

- 21 a) approximately 20 depositions have already been taken;
22 b) another 12 depositions are noticed or are about to be noticed
23 c) multiple sets of documentary discovery have been exchanged
24

25 WHEREAS a formal settlement demand was submitted last week that will require
26 multiple defendants to evaluate. The demand could not have been submitted earlier because of
27 the death of plaintiff Lawrence Spies Sr. and the need to formally determine the status of the
28 remaining plaintiffs.

1 WHEREAS experts must be retained and disclosed in less than two months.

2 WHEREAS the parties have tentatively agreed to mediation or court-sponsored
3 settlement conference .

4 WHEREAS, the parties all agree that extending the time for discovery, and the time of
5 trial, for approximately 90 days will give the parties an opportunity to evaluate the substantial
6 discovery that has been developed and to engage in serious negotiations before they are forced to
7 incur the costs of the remaining depositions and the cost of retaining experts and submission of
8 expert reports. The parties believe this will give them all a better chance of resolving this
9 litigation.

10 The parties stipulate and agree that good cause exists to continue the deadlines for
11 discovery and for Pre-Trial and Trial dates, and that this modification will cause no prejudice to
12 any party herein, or in the lawsuit overall.

13 IT IS SO STIPULATED.

14 Dated: March 7, 2018

ANGELO, KILDAY & KILDUFF, LLP

15 /s/ Bruce A. Kilday

16 By: _____

17 AMIE McTAVISH
18 BRUCE A. KILDAY
19 Attorney for Defendants
20 EL DORADO COUNTY, JOHN
21 D'AGOSTINI, RANDY PESHON,
22 MATT FOXWORTHY, JACKIE
23 NOREN, and MARK HANGEBRAUCK

24 Dated: March 7, 2018

LAW OFFICES OF STEWART KATZ

25 /s/ Stewart Katz

26 As authorized on March 6, 2018

27 By: _____

28 STEWART KATZ
Attorney for Plaintiffs
LAWRENCE SPIES, SR. and LINDA
SPIES

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Dated: March 7, 2018

SCHUERING, ZIMMERMAN & DOYLE

/s/ Kat Todd
As authorized on March 6, 2018

By: _____
KAT TODD
Attorney for Defendant
MARSHALL MEDICAL CENTER

Dated: March 7, 2018

KROLOFF BELCHER, et al.

/s/ Thomas O. Perry
As authorized on March 6, 2018

By: _____
THOMAS O. PERRY
Attorney for Defendants
JOHN J. SKRATT, M.D. and
ALEXIS F. LIESER, M.D.

Dated: March 7, 2018

LAW OFFICES OF JEROME M.
VARANINI

/s/ Jerome M. Varanini
As authorized on March 5, 2018

By: _____
JEROME M. VARANINI
Attorney for Defendants CALIFORNIA
FORENSIC MEDICAL GROUP, INC.,
RAYMOND HERR, M.D., ROBIN
HOPE and LISA ISAACSON

Dated: March 7, 2018

BERTLING & CLAUSEN, L.L.P.

/s/ Peter Bertling
As authorized on March 6, 2018

By: _____
PETER BERTLING
Attorney for Defendant
TAYLOR FITHIAN, M.D.

PROPOSED ORDER

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The Court herein finds good cause exists to modify the Pre-Trial Scheduling Order (ECF 36) as follows:

The discovery cutoff is extended from March 26, 2018 to June 26, 2018.

The deadline for Expert Disclosures is extended from April 26, 2018 to July 26, 2018

The deadline for Rebuttals thereto shall be extended from May 21, 2018 to August 21, 2018

The deadline to file dispositive motions shall be extended from May 21, 2018 to August 21, 2018.

The deadline for depositions of expert witnesses will be extended from June 21, 2018 to September 20, 2018.

The final pretrial scheduling conference shall be continued from July 30, 2018 to November 5, 2018 at 1:30 p.m.

The jury trial date shall be continued from September 25, 2018 to January 8, 2019 at 9:00 a.m.

IT IS SO ORDERED.

Dated: March 7, 2018



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE