

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

JANE DOE,

Plaintiff,

v.

CISSY STEELE, AKA CISSY GERALD,  
et al.,

Defendants.

Case No.: 20cv1818-MMA (MSB)

**ORDER GRANTING IN PART AND  
DENYING IN PART JOINT MOTION  
TO CONTINUE DATES FROM  
DECEMBER 1, 2021 FIRST  
AMENDED SCHEDULING ORDER  
[ECF NO. 97]**

On February 11, 2022, counsel for the parties filed a “Joint Motion to Continue Dates from December 1, 2021 First Amended Scheduling Order (ECF No. 81).” (ECF No. 97.) In their joint motion, due to the then pending motion to withdraw filed by counsel for Defendant Cissy Steele, the parties ask to “continue all dates in the December 1, 2021 First Amended Scheduling Order (ECF No. 81) and Order Granting Stipulation Regarding Defendant Cissy Steele’s Discovery Responses (ECF No. 92) for thirty (30) days from the date of signing the proposed order.” (ECF No. 97.) Another phrasing asks the Court for “a thirty (30) day extension of time for all discovery and other pretrial dates in the Scheduling Order until April 8, 2022 and all dates in the Order Granting Stipulation Regarding Defendant Cissy Steele’s Discovery Responses given the motion to withdraw.”

1       On February 14, 2022, United States District Judge Michael M. Anello granted  
2 Defendant Steele's counsel's motion to withdraw and ordered Defendant Steele to either  
3 file a notice of intent to proceed pro se or a substitution of counsel by March 21, 2022.  
4 (ECF No. 98.) Currently, the fact discovery deadline in this case is March 8, 2022. (ECF  
5 No. 81 at 2.) Pursuant to the parties' stipulation, Defendant Steele's deadline to file any  
6 supplemental discovery responses was February 11, 2022, the day the joint motion was  
7 filed, and Plaintiff's deadline to request an informal discovery conference was February  
8 25, 2022. (ECF No. 92, ECF No. 90-1 at 3-4.) Because Defendant Steele's counsel  
9 withdrew shortly before Defendants' scheduled depositions, (see ECF No. 97 at 2), and  
10 Defendant Steele's deadline to file supplemental discovery responses, (see ECF No. 92,  
11 ECF No. 90-1 at 3-4), and will likely not be ready to proceed until Judge Anello's March  
12 21, 2022 deadline, the Court finds good cause to continue at least some dates in the  
13 scheduling order.

14       However, the parties' joint motion and proposed order are not particularly helpful  
15 regarding how the dates should be continued. The Court assumes that the parties did not  
16 actually intend to reschedule all remaining dates to thirty days following the date of this  
17 order, or to April 8, 2022. The Court finds good cause to continue the imminent dates as  
18 needed if Defendant Steele elects to continue in this case as a pro se litigant. Because  
19 Judge Anello has given Defendant Steele until March 21, 2022 to make decide how to  
20 proceed, the Court will extend certain dates by more than thirty days. Therefore, the Court  
21 **GRANTS in part and DENIES in part** the joint motion, and continues certain deadlines  
22 as follows:

23       1. Defendant Steele may supplement her responses to Video Defendants'  
24 Requests for Production Nos. 6, 9, and 10 and Interrogatory Nos. 4, 9-11, and 16 no later  
25 than March 30, 2022.

26       2. In the event Video Defendants find Steele's supplemental responses  
27 insufficient, the parties must meet and confer, and if no resolution can be reached, they  
28

1 may contact Judge Berg's chambers to request a telephonic Discovery Conference no later  
2 than April 8, 2022.

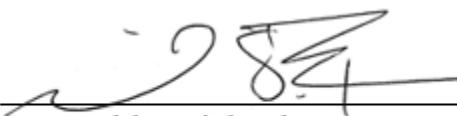
3       3. All fact discovery must be completed by all parties by April 29, 2022.  
4 "Completed" means that all discovery under Rules 30-36 of the Federal Rules of Civil  
5 Procedure, and discovery subpoenas under Rule 45, must be initiated a sufficient period  
6 of time in advance of the cut-off date, so that it may be completed by the cut-off date,  
7 taking into account the times for service, notice and response as set forth in the Federal  
8 Rules of Civil Procedure.

9       4. The parties must designate their respective experts in writing by  
10 May 20, 2022. The parties must identify any person who may be used at trial to present  
11 evidence pursuant to Rules 702, 703 or 705 of the Fed. R. Evid. This requirement is not  
12 limited to retained experts. The date for exchange of rebuttal experts must be by June 3,  
13 2022. The written designations must include the name, address and telephone number of  
14 the expert and a reasonable summary of the testimony the expert is expected to provide.  
15 The list must also include the normal rates the expert charges for deposition and trial  
16 testimony.

17       All guidance and deadlines not specifically modified by this order remain as  
18 previously ordered.

19       **IT IS SO ORDERED.**

20 Dated: February 15, 2022

21   
22 Honorable Michael S. Berg  
23 United States Magistrate Judge  
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