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5 Attorneys for Defendant,
THE ROMAN CATHOLIC BISHOP OF SACRAMENTO,
6 a corporation sole, incorrectly also sued as "SAINT MARY'S
CATHOLIC CEMETERY AND MAUSOLEUM" and
7 "DIOCESE OF SACRAMENTO"

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12 JESSE A. DAVIS

13 UNITED STATES DISTRICT COURT
14 EASTERN DISTRICT OF CALIFORNIA

15
16 JESSE A. DAVIS,

17 Plaintiff,

18 v.

19 SAINT MARY'S CATHOLIC CEMETERY
20 AND MAUSOLEUM; DIOCESE OF
SACRAMENTO; ROMAN CATHOLIC
21 BISHOP OF SACRAMENTO,

22 Defendants.

CASE NO. 2:13-CV-01083-GEB-DAD

**STIPULATION AND PROPOSED ORDER
FOR MODIFICATION OF PRETRIAL
SCHEDULING ORDER CONCERNING
DISCOVERY DEADLINE**

Complaint filed: May 31, 2013

23
24 THE PARTIES, BY AND THROUGH THEIR COUNSEL OF RECORD, HEREBY
25 STIPULATE AS FOLLOWS:

26 1. The parties participated in private mediation before Hon. Ronald Sabraw
27 (Alameda County Superior Court, Ret.) with JAMS, on January 6, 2015.
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2. Prior to the mediation, the parties diligently engaged in discovery as part of their trial preparation efforts.

3. After being unable to resolve this matter via mediation, the parties have continued their discovery efforts.

4. The continuation of deposition has been hampered by the trial commitments of counsel for the parties. Defense counsel is set for trial on February 23, 2015, in the matter *Cerbone v. Roman Catholic Bishop of Sacramento*, Sacramento Superior Court, Case No. 34-2013-00140297-CU-WT-GDS, which is expected to last three weeks. Plaintiff's counsel has been involved in the *Patterson v. Abundance* trial, San Joaquin Superior Court Case No.: 39-2011-00274426-CV-WT-STK which is expected to last through at least March 6, 2015, and possibly longer.

5. In light of their litigation commitments, the parties are in agreement that a modest extension of the discovery cutoff in this matter will foster and facilitate their continued efforts to prepare this matter for trial.

6. The parties therefore join in a request that the court modify its scheduling order for this matter to move the discovery cutoff, currently set for March 11, 2015, to April 30, 2015.

IT IS SO STIPULATED.

Dated: February 23, 2015

SWEENEY, GREENE & ROBERTS LLP

By: /s/ Stephen J. Greene, Jr.
Attorneys for Defendant,
THE ROMAN CATHOLIC BISHOP OF
SACRAMENTO, a corporation sole

Dated: February 23, 2015

WINER & McKENNA, LLP

By: /s/ Shawn D. Tillis
Attorneys for Plaintiff,
JESSE A. DAVIS

SWEENEY, Greene & Roberts LLP

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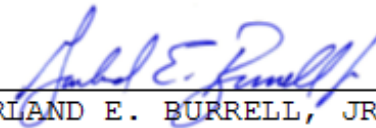
ORDER

Based on the joint stipulation of the parties, IT IS HEREBY ORDERED that paragraph one of the section entitled "DISCOVERY," on page two of the Court's Pretrial Scheduling Order of January 15, 2014, is hereby modified to read as follows:

All discovery shall be completed by April 30, 2015. "Completed" means all discovery shall be conducted so that any dispute relative to discovery shall have been resolved by appropriate orders, if necessary, and, where discovery has been ordered, the order has been complied with on or before the prescribed "completion" date.

IT IS SO ORDERED.

Dated: February 23, 2015



GARIAND E. BURRELL, JR.
Senior United States District Judge

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