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IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

TAMARA EVANS, Plaintiff, **v.** **CALIFORNIA COMMISSION ON PEACE OFFICERS STANDARDS AND TRAINING; EDMUND PECINOVSKY; ANNE BREWER and DOES 1-25,** Defendants.	2:15-CV-01951-MCE-DB **STIPULATION AND ORDER TO EXTEND DISCOVERY DATES**

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Pursuant to Local Rules 143 and 144, Plaintiff Tamara Evans and Defendants California Commission on Peace Officers Standards and Training, Anne Brewer, and Edmund Pecinovsky hereby stipulate to extend the discovery cutoff dates.

There exists good cause to extend the discovery deadlines and modify the pre-trial order in accordance with FRCP 16. All parties agree that the current discovery schedule does not provide sufficient time. The parties agree to a 60 day extension of currently scheduled deadlines as set forth below. No trial date has been assigned in this case which has been reassigned twice. The parties believe that each will benefit from the extension and there will be no undue prejudice.

Although this case was originally filed on June 4, 2014, there was a dormant period where Plaintiff substituted counsel. A First Amended Complaint was filed on August 10, 2015.

Written discovery has been propounded. Several long standing disputes exist regarding (a) the lack of labelling of documents produced by Defendants; (b) the production of various documents; and (c) production of the contents from Plaintiff's laptop used during her employment.

The parties have commenced the depositions of Plaintiff Tamara Evans and Defendant Edmund Pecinovsky and are close to completing them. The Parties are meeting and conferring regarding whether certain documents have been produced that Mr. Pecinovsky identified during his deposition in Phoenix, Arizona. The Parties have met and conferred regarding the production of the following witnesses identified in Defendants' Initial Disclosures: Anne Brewer, Darla Engler, Stephanie Scofield, Teresa Keller, Robert Stresak, Richard Reed, Alan Deal, Donna Wooten, and Frank Decker.

Plaintiff's counsel has back to back trials set in February 2017 in the Northern District: (a) *Hauschild v. City of Richmond, et. al*. USDC Case no. 3:15-CV-01556 (WHA); and *Flaviano v. Department of State Hospitals*, USDC Case no. C14-05671 (WHA). The *Hauschild* trial commences on February 21, followed by *Flaviano* on February 27. Both trials are before the Honorable William H. Alsup and will likely proceed.

The Parties agree that under the current discovery deadlines, it will be extremely difficult and burdensome on counsel and witnesses to complete necessary discovery. One previous request to continue discovery deadlines has been made.

WHEREAS the Court previously set February 17, 2017 as the deadline for fact discovery;

WHEREAS the Court previously set April 19, 2017 as the deadline for expert discovery.

The parties do therefore Stipulate and agree as follows:

1. To extend Fact discovery cutoff until April 18;
2. To extend Designation of Experts deadline until June 19;
3. That a Status and Setting Conference be set for a date convenient to the Court to address the remaining case calendar, including assignment of trial.

Dated: January 9, 2017

BROWN POORE LLP

/s/ Scott A. Brown

SCOTT A. BROWN
Attorneys for Plaintiff Tamara Evans

Dated: January 9, 2017

California Deputy Attorney General

/s/ Connie A. Broussard

CONNIE A. BROUSSARD
Attorneys for Defendants

I hereby attest that concurrence in the filing of the document has been obtained by all of the signatories.

Dated: January 9, 2017

BROWN POORE LLP

/s/ Scott A. Brown

SCOTT A. BROWN
Attorneys for Plaintiff Tamara Evans

ORDER

IT IS SO ORDERED.

Dated: January 11, 2017

MORRISON C. ENGLAND, JR
UNITED STATES DISTRICT JUDGE