IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

| | |
|---|---|
| **TAMARA EVANS,**<br>Plaintiff,<br>**v.**<br>**CALIFORNIA COMMISSION ON PEACE OFFICERS STANDARDS AND TRAINING; EDMUND PECINOVSKY; ANNE BREWER and DOES 1-25,**<br>Defendants. | Case No. 2:15-cv-01951-MCE-DB<br>**ORDER** |

Presently before the Court is an ex parte request for an extension of time to file a late opposition to the motion for summary judgment by Defendants California Commission on Peace Officer Standards and Training, Edmund Pecinovsky, and Anne Brewer ("Defendants"). Given the candid averments by counsel in her latest submission to the Court as to her shortcomings in handling the briefing of this case, and the Court's preference for resolving cases such as this one on the merits, the requested relief is, on this showing, GRANTED. The Court notes for the record that it is the most persuaded by the fact that counsel fell on her sword multiple times as to mistakes she admittedly and regrettably made and by her request that her clients not be made to suffer from these transgressions.



AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Counsel is nonetheless admonished that this Court's scheduling orders govern these proceedings and supersede the Local Rules where they differ. The Court will not entertain future requests for extension under circumstances such as these and expects no such requests will be forthcoming.

Finally, the Court has also reviewed and considered Plaintiff's response to Defendants' Ex Parte Application, by which Plaintiff does not oppose the requested extension of time, but does request additional time to retain an expert witness on the issues subject to the currently unopposed Motion for Summary Judgment. The current deadline for doing so is August 22, 2017, and preparation by this date is not feasible given the delays over the past several weeks. Accordingly, it is hereby ordered as follows:

1. Defendants' Ex Parte Application for an Extension of Time (ECF No. 63) is GRANTED, and their Opposition to Plaintiff's Motion for Summary Judgment filed August 10, 2017, is deemed timely filed.
2. Plaintiff's Reply, if any, shall be filed not later than August 31, 2017.
3. This case shall remain submitted and if the Court subsequently determines oral argument is necessary, it will be scheduled at a later date.
4. The deadline to designate expert witnesses is hereby CONTINUED to September 27, 2017.

IT IS SO ORDERED.

Dated: August 14, 2017

MORRISON C. ENGLAND, JR
UNITED STATES DISTRICT JUDGE