

1 BRUCE A. KILDAY, ESQ., SBN 066415

Email: bkilday@akk-law.com

2 AMIE McTAVISH, ESQ., SBN 242372

Email: amctavish@akk-law.com

3 **ANGELO, KILDAY & KILDUFF, LLP**

4 Attorneys at Law

601 University Avenue, Suite 150

5 Sacramento, CA 95825

6 Telephone: (916) 564-6100

Telecopier: (916) 564-6263

7 JOHN M. LUEBBERKE, ESQ., SBN 164893

Email: john.luebberke@ci.stockton.ca.us

8 425 N. El Dorado Street, 2nd Floor

9 Stockton, CA 95202

10 Telephone: (209) 937-8333

Telecopier: (209) 937-8898

11 Attorneys for Defendants OFFICER ERIC AZARVAND and OFFICER GREGORY DUNN

12 **MAYALL, HURLEY, P.C.**

13 A Professional Corporation

14 2453 Grand Canal Boulevard, Second Floor

Stockton, California 95207-8253

15 Telephone (209) 477-3833

16 MARK E. BERRY, ESQ.

CA State Bar No. 155091

17 DERICK E. KONZ, ESQ.

CA State Bar No. 286902

18 Attorneys for Defendant, Deputy Sheriff JOHN NESBITT

19 LAW OFFICES OF JOHN BURRIS

20 JOHN L. BURRIS, ESQ (SBN 69888)

21 BEN NISENBAUM, ESQ (SBN 222173)

22 7677 Oakport St., Suite 1120

Oakland, CA 94621

23 Phone: (510) 8395200

Fax: (510) 8393882

24 Attorneys for Plaintiff DIONNE SMITH-DOWNS

25

26

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

DIONNE SMITH-DOWNS, et al.,)	Case No.: 2:10-CV-02495 MCE-CKD
)	
Plaintiff,)	JOINT REQUEST TO ENLARGE TIME;
)	ORDER
vs.)	
)	
CITY OF STOCKTON, et al.,)	
)	
Defendants.)	
)	

WHEREAS discovery in this matter has been extensive;

WHEREAS in spite of counsels best efforts and diligence, depositions of key witnesses were delayed;

WHEREAS these depositions are necessary for retained experts to review in order to adequately prepare their reports;

IT IS HEREBY jointly requested by plaintiff DIONNE SMITH-DOWNS and Defendants Officer ERIC AZARVAND, Officer GREGORY DUNN and Deputy JOHN NESBITT, by and through their undersigned counsel as follows:

1. Modify time for expert disclosures to be filed from December 16, 2016 to February 8, 2017;

///

1 2. Modify time for any dispositive motions to be heard to from April 13, 2017 to
2 May 18, 2017.

3 3. All other dates to remain the same.

4 Dated: December 16, 2016

ANGELO, KILDAY & KILDUFF, LLP

/s/ Amie McTavish

By: _____

AMIE MCTAVISH
Attorneys for Defendants OFFICER ERIC
AZARVAND and OFFICER GREGORY
DUNN

9 Dated: December 16, 2016

MAYALL HURLEY, PC

/s/ Derick Konz
(as authorized on 11/29/16)

By: _____

MARK BERRY
DERICK KONZ
Attorneys for Defendant DEPUTY SHERIFF
JOHN NESBITT

15 Dated: December 16, 2016

LAW OFFICES OF JOHN BURRIS

/s/ Ben Nisenbaum
(As authorized on 11/29/16)

By: _____


JOHN L. BURRIS
BEN NISENBAUM
Attorneys for Plaintiff DIONNE SMITH-
DOWNS

ORDER

22 IT IS HEREBY ORDERED that the enlargement of time for discovery and the hearing of
23 dispositive motions as reflected heretofore is granted.

24 IT IS SO ORDERED.

25 Dated: December 16, 2016



MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE