

1 XAVIER BECERRA
 Attorney General of California
 2 STEPAN A. HAYTAYAN
 Supervising Deputy Attorney General
 3 JONATHAN M. EISENBERG
 Deputy Attorney General
 4 P. PATTY LI
 Deputy Attorney General
 5 State Bar No. 266937
 455 Golden Gate Avenue, Suite 11000
 6 San Francisco, CA 94102-7004
 Telephone: (415) 703-1577
 7 Fax: (415) 703-1234
 E-mail: Patty.Li@doj.ca.gov
 8 *Attorneys for Defendant Xavier Becerra,
 Attorney General of the State of California*

9
 10 C.D. Michel – SBN 144258
 Joshua R. Dale – SBN 209942
 Sean A. Brady – SBN 262007
 11 Anna M. Barvir – SBN 268728
 MICHEL & ASSOCIATES, P.C.
 12 180 E. Ocean Blvd., Suite 200
 Long Beach, CA 90802
 13 Telephone: (562) 216-4444
 Facsimile: (562) 216-4445
 14 Email: cmichel@michellawyers.com
Attorneys for Plaintiffs

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 16 **IN THE UNITED STATES DISTRICT COURT**
 17 **CENTRAL DISTRICT OF CALIFORNIA**
 18 **WESTERN DIVISION**

19 **MICHELLE FLANAGAN, et al.,**
 20 **Plaintiffs,**
 21 **v.**
 22 **CALIFORNIA ATTORNEY**
 23 **GENERAL XAVIER BECERRA, in**
 24 **his official capacity as Attorney**
 25 **General of the State of California, et**
 26 **al.,**
 27 **Defendants.**

Case No.: 2:16-cv-06164-JAK-AS

**STIPULATION EXTENDING
 EXPERT DISCOVERY CUT-OFF
 AND DEADLINE TO FILE
 MOTIONS**

Judge: Hon. John A. Kronstadt
 Trial Date: February 6, 2018
 Action Filed: August 17, 2016

1 As set forth in the attached Declaration of P. Patty Li, Plaintiffs Michelle
2 Flanagan, Samuel Golden, Dominic Nardone, Jacob Perkio, and the California Rifle
3 & Pistol Association (“Plaintiffs”) and Defendant California Attorney General
4 Xavier Becerra (“Defendant”) (collectively, “the Parties”) have been actively
5 engaged in fact and expert discovery. Consistent with the Court’s Scheduling
6 Order (ECF No. 38), the Parties made initial expert disclosures on June 1, 2017,
7 and rebuttal expert disclosures on June 30, 2017. There are five expert witnesses,
8 as between all of the Parties. The Scheduling Order provides that the expert
9 discovery cut-off is Monday, July 28, 2017, and the last day to file motions is
10 Monday, August 14, 2017.

11 Depositions of four expert witnesses have taken place or are scheduled to
12 take place between June 30, 2017 and July 28, 2017. The Parties have agreed to
13 take some of these depositions via videoconference, in order to accommodate the
14 schedules of counsel and the witnesses while holding as many of the depositions as
15 possible before the expert discovery cut-off.

16 Due to unresolvable scheduling conflicts, the deposition of the fifth expert
17 witness—a rebuttal expert witness whose name was not required to be disclosed
18 until June 30, 2017—cannot take place until August 10, 2017. In addition, the
19 Parties have agreed to re-open one of the expert depositions that has already taken
20 place. The Parties anticipate that the re-opened deposition will be scheduled for
21 mid-August 2017.

22 In a case of this magnitude, on issues of national importance, the Parties
23 would be unduly prejudiced if their expert witnesses did not have sufficient time to
24 review their deposition transcripts, and if the Parties were required to file motions
25 for summary judgment within days of the last expert witness deposition.

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1 The Parties hereby stipulate to the following modifications to the Scheduling
 2 Order, which extend the time to complete expert discovery and the last day to file
 3 motions, and set a briefing schedule for any summary judgment motions filed by
 4 that date.

| EVENT | CURRENT DATE | PROPOSED DATE |
|--|-------------------------|---|
| Expert Discovery Cut-off | Monday, July 28, 2017 | Monday, August 21, 2017 |
| Last day to file motions (including discovery motions) | Monday, August 14, 2017 | Monday, September 11, 2017 |
| Deadline to file opposition to any motion for summary judgment filed by the last day to file motions | N/A | Monday, October 2, 2017 (21 days after last day to file motions) |
| Deadline to file reply in support of any motion for summary judgment filed by the last day to file motions | N/A | Monday, October 16, 2017 (35 days after last day to file motions) |

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 17 The Parties respectfully request that the Court approve the proposed
 18 modifications to the Scheduling Order, so that the Parties may have adequate time
 19 to conduct expert witness depositions, review any changes to the transcripts of
 20 expert witness depositions made by any of the deponents (on an expedited basis),
 21 and prepare for summary judgment motions.

22 The Parties are not seeking to modify the last day to hear motions set by the
 23 existing Scheduling Order, which is November 6, 2017. However, the Parties
 24 understand that the Court may wish to extend the last day to hear motions to a date
 25 after November 6, 2017.

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 27 **IT IS SO STIPULATED.**
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1 Dated: July 21, 2017

XAVIER BECERRA
Attorney General of California
STEPAN A. HAYTAYAN
Supervising Deputy Attorney General
JONATHAN M. EISENBERG
Deputy Attorney General

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/s/ P. Patty Li

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P. PATTY LI
Deputy Attorney General
*Attorneys for Defendant California Attorney
General Xavier Becerra*

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9 Dated: July 21, 2017

MICHEL & ASSOCIATES, P.C.

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/s/ Sean A. Brady

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Sean A. Brady
Attorneys for Plaintiffs

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15 Pursuant to Local Rule 5-4.3.4(a)(2), the below filer attests that concurrence
16 in the filing of this document has been obtained from the above signatories.

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18 Dated: July 21, 2017

By: /s/ P. Patty Li
P. Patty Li

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