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10 Attorneys for Plaintiffs

11 **UNITED STATES DISTRICT COURT**  
12 **SOUTHERN DISTRICT OF CALIFORNIA**

13 KIM RHODE, et al.,  
14 Plaintiffs,

15 v.

16 XAVIER BECERRA, in his official  
17 capacity as Attorney General of the State  
18 of California,

19 Defendant.

Case No.: 3:18-cv-00802-BEN-JLB

**JOINT MOTION TO AMEND  
SCHEDULING ORDER**

1 Plaintiffs Kim Rhode, Gary Brennan, Cory Henry, Edward Johnson, Scott  
2 Lindemuth, Richard Ricks, Denise Welvang, Able's Sporting, Inc., AMDEP Holdings,  
3 LLC, d/b/a Ammunition Depot, R&S Firearms, Inc., d/b/a Sam's Shooters' Emporium,  
4 and California Rifle & Pistol Association, Incorporated, a California corporation  
5 ("Plaintiffs"), and Defendant Xavier Becerra, in his official capacity as Attorney General  
6 of the State of California ("Defendant") (collectively "the Parties") through their  
7 respective attorneys of record, hereby request that the Court modify the Scheduling Order  
8 (Dkt. No. 21) in accordance with the stipulated schedule set forth herein.

9 WHEREAS, the current fact-discovery cut-off is June 7, 2019;

10 WHEREAS, the California Department of Justice has not published its  
11 regulations implementing the laws at issue in this matter yet;

12 WHEREAS, the current cut-off likely will not allow Plaintiffs time to conduct  
13 discovery relating to those regulations prior to the current discovery cut-off date;

14 WHEREAS, the Parties believe that a sixty (60) day extension of the discovery  
15 cut-off date is necessary and desirable to ensure adequate time for the Parties to conduct  
16 relevant discovery;

17 WHEREAS, for these reasons, good cause exists to extend the discovery cut-  
18 off date by sixty (60) days;

19 WHEREAS, for these same reasons, the Parties believe that all other pretrial  
20 dates, except for the deadline to file motions (which should only be extended by thirty  
21 ((30)) days), should likewise be extended by sixty (60) days to conform the pretrial  
22 schedule to the discovery cut-off date, including a continuance of the Final Pretrial  
23 Conference from February 10, 2020, to April 10, 2020, or a date to be determined by  
24 the Court at its convenience; and

25 WHEREAS, the Parties agree that if the pretrial deadlines are extended in  
26 accordance with this stipulation and a new pretrial deadline is a Saturday, Sunday, or  
27 legal holiday, the deadline will be the preceding day that is not a Saturday, Sunday, or  
28 legal holiday;

1 THE PARTIES HEREBY STIPULATE, AGREE, AND REQUEST, that the Court  
2 modify the pretrial schedule as follows:

3	Fact Discovery Cut-Off:	August 6, 2019
4	Expert Designation & Last Day to Serve	
5	Initial Expert Reports:	August 20, 2019
6	Last Day to Serve Rebuttal Expert Reports:	October 1, 2019
7	Expert Discovery Cut-Off:	October 29, 2019
8	Last Day to Lodge Confidential Settlement Brief:	November 8, 2019
9	Mandatory Settlement Conference with	
10	Judge Jill L. Burkhardt:	November 18, 2019 at 2 p.m.
11	Last Day to File All Pretrial Motions:	November 10, 2019
12	Last Day to File Memorandum of Contentions	
13	of Fact and Law:	March 13, 2020
14	Last Day to Comply with Pretrial Disclosure	
15	Requirements per FRCP 26(a)(3):	March 13, 2020
16	Last Day for Counsel to Meet and Take Action	
17	Required by Civil Local Rule 16.1(f)(4):	March 20, 2020
18	Last Day for Counsel for Plaintiffs to Provide	
19	Counsel for Defendant with the Proposed	
20	Pretrial Order:	March 27, 2020
21	Last Day to Serve and Lodge the Proposed	
22	Pretrial Conference Order:	April 3, 2020
23	Final Pretrial Conference with	
24	Judge Roger T. Benitez:	April 10, 2020 at 10:30 a.m.

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1 IT IS SO STIPULATED.

2 Respectfully submitted,

3 Dated: April 12, 2019

MICHEL & ASSOCIATES, P.C.

4 s/Sean A. Brady  
5 Sean A. Brady  
6 Email: sbrady@michellawyers.com  
7 Attorneys for Plaintiffs

8 Dated: April 12, 2019

XAVIER BECERRA  
Attorney General of California  
9 TAMAR PACHTER  
10 Supervising Deputy Attorney General

11 s/Nelson R. Richards  
12 NELSON R. RICHARDS  
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14 Attorneys for Defendant  
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**CERTIFICATE OF SERVICE**

**UNITED STATES DISTRICT COURT**

**SOUTHERN DISTRICT OF CALIFORNIA**

Case Name: *Rhode, et al. v. Becerra*

Case No.: 3:18-cv-00802-JM-JMA

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, declare under penalty of perjury that I am a citizen of the United States over 18 years of age. My business address is 180 East Ocean Boulevard, Suite 200 Long Beach, CA 90802. I am not a party to the above-entitled action.

I have caused service of the following documents, described as:

**JOINT MOTION TO AMEND SCHEDULING ORDER**

on the following parties by electronically filing the foregoing on April 12, 2019, with the Clerk of the District Court using its ECF System, which electronically notifies them.

Nelson R. Richards  
Deputy Attorney General  
nelson.richards@doj.ca.gov  
2550 Mariposa Mall, Room 5090  
Fresno, CA 93721

*Attorneys for Defendant Attorney General  
Xavier Becerra*

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 12, 2019, at Long Beach, CA.

s/Laura Palmerin  
Laura Palmerin