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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

ANA PATRICIA FERNANDEZ, an
individual,

Plaintiff,

v.

LOS ANGELES COUNTY, et al.,

Defendants.

Case No.: 2:20-cv-09876 DMG (PDx)

**JOINT STIPULATION AND
REQUEST TO AMEND THE
SCHEDULING AND CASE
MANAGEMENT ORDER RE JURY
TRIAL (DKT. 64)**

1 Pursuant to Rule 16(b)(4) of the Federal Rules of Civil Procedure and Local Rule 7-
2 1 and 16-14, Plaintiff Ana Patricia Fernandez and Defendants Los Angeles County, Wyatt
3 Waldron, and John Roth (“Defendants”), through their counsel of record, jointly request
4 that this Court amend the March 7, 2023 Scheduling and Case Management Order re Jury
5 Trial (Dkt. 64) to extend the deadline for dispositive motions and continue the upcoming
6 pretrial deadlines and trial date.

7 WHEREAS, on March 7, 2023, the Court issued a Scheduling and Case
8 Management Order re Jury Trial (Dkt. 64);

9 WHEREAS, the current scheduling order requires the parties to have completed all
10 fact and expert discovery on or before October 6, 2023;

11 WHEREAS, the current scheduling order also sets the following deadlines and
12 dates: (1) all dispositive motions must be filed on or before November 10, 2023, and heard
13 before December 15, 2023; (2) the parties must engage in the L.R. 16-2 Meeting of
14 Counsel on or before January 18, 2024; (3) motions in limine and all other pretrial
15 documents must be filed on or before February 6, 2024; (4) the Final Pretrial Conference
16 is on February 27, 2024 at 2:00 p.m.; and (4) Jury Trial is set to commence on March 26,
17 2024 at 8:30 a.m.;

18 WHEREAS, in order to meet the schedule set by the Court, counsel for both parties
19 have worked diligently to engage in fact and expert discovery as described below, but due
20 to the volume of documents in this matter—many of which were under the control of
21 various government offices and required significant efforts to compile—and the time it
22 took to prepare and respond to Plaintiff’s expert report evaluating the damage and value of
23 the approximately 450 firearms at issue, more time to litigate this case is needed;

24 WHEREAS, on August 8, 2023, Plaintiff responded to Defendant Los Angeles
25 County’s Requests for Production of Documents, Set 1, Defendant John Roth’s Requests
26 for Production of Documents, Set 1, and Defendant Wyatt Waldron’s Requests for
27 Production of Documents, Set 1, as well as Defendant Los Angeles County’s
28 Interrogatories, Set 1, Defendant John Roth’s Interrogatories, Set 1, and Defendant Wyatt

1 Waldron's Interrogatories, Set 1;

2 WHEREAS, on August 28, 2023, Defendants responded to Plaintiff Ana Patricia
3 Fernandez's Requests for Production of Documents to Defendant Los Angeles County,
4 Set 1, Plaintiff Ana Patricia Fernandez's Requests for Production of Documents to
5 Defendant John Roth, Set 1, and Plaintiff Ana Patricia Fernandez's Requests for
6 Production of Documents to Defendant Wyatt Waldron, Set 1, as well as Plaintiff Ana
7 Patricia Fernandez's Interrogatories to Defendant Los Angeles County, Set 1, Plaintiff
8 Ana Patricia Fernandez's Interrogatories to Defendant John Roth, Set 1, and Plaintiff Ana
9 Patricia Fernandez's Interrogatories to Defendant Wyatt Waldron, Set 1;

10 WHEREAS, Defendants took the deposition of Plaintiff on September 12, 2023,
11 and Plaintiff took the deposition of Defendant Roth on September 27, 2023, and the
12 deposition of Defendant Waldron on September 28, 2023;

13 WHEREAS, Plaintiffs also noticed the deposition of Susan O'Leary Brown for
14 October 5, 2023, but the witness was out of the country for an extended period, and the
15 parties have thus far been unable to reschedule the deposition;

16 WHEREAS, on October 16, 2023, Defendants served Defendants' Request for
17 Production of Expert Documents (Set One);

18 WHEREAS, on October 17, 2023, after the close of fact discovery, Defendants
19 served Defendant County of Los Angeles' Supplemental Response to Plaintiff's
20 Interrogatories, Set One, and those new responses likely require additional investigation
21 by Plaintiff;

22 WHEREAS, the parties jointly contend that good cause exists to extend the
23 remaining deadlines in the Scheduling and Case Management Order re Jury Trial for 4
24 months;

25 WHEREAS, based on the progress of this action, including two motions to dismiss
26 and extensive written discovery, the parties believe that a 4-month extension of all
27 deadlines will allow the parties to engage in meaningful settlement discussions and/or
28 mediation and finalize any remaining fact investigation;

1 WHEREAS, neither party seeks to delay the proceedings to gain a tactical
2 advantage nor do they seek to delay proceedings for any other improper purpose;

3 WHEREAS, the parties do not believe that the 4-month extension of deadlines
4 requested herein will prejudice either party or result in undue delay;

5 WHEREAS, the parties have only requested and received one extension in this
6 matter—a request for an extension of expert discovery deadlines (Dkt. 67);

7 THEREFORE, THE PARTIES HEREBY STIPULATE AND JOINTLY MOVE
8 the Court for an order resetting the remaining case deadlines as follows:

Matter	Current Date	Proposed Date
TRIAL [] Court [X] Jury Duration Estimate: 4-5 days	3-26-24 (Tuesday)	7-23-24 (Tuesday)
FINAL PRETRIAL CONFERENCE (FTPC) 4 wks before trial	2-27-24 (Tuesday)	6-25-24 (Tuesday)
Motion Cut-Off (filing deadline)	11-10-23	3-8-24
Last Hearing Date for Dispositive Motions	12-15-23	4-12-24
L.R. 16-2 Meeting of Counsel Deadline	1-18-24	5-17-24
Settlement Conference Completion Date	1-30-24	5-29-24
Joint Status Report re Settlement	2-6-24	6-4-24
Motions in Limine Filing Deadline	2-6-24	6-4-24
Opposition to Motion in Limine Filing Deadline	2-13-24	6-11-24
Proposed Pretrial Conference Order	2-6-24	6-4-24
Contentions of Fact/Law	2-6-24	6-4-24
Pretrial Exhibit Stipulation	2-6-24	6-4-24
Joint Exhibit List	2-6-24	6-4-24
Witness Lists & Joint Trial Witness Time Estimate Form	2-6-24	6-4-24
Agreed Statement of the Case	2-6-24	6-4-24
Proposed Voir Dire Questions	2-6-24	6-4-24
Joints Statement of Jury Instructions & Joint Statement of Disputed Instructions	2-6-24	6-4-24

Verdict Forms

2-6-24

6-4-24

IT IS SO STIPULATED AND AGREED.

Dated: November 7, 2023

MICHEL & ASSOCIATES, P.C.

s/ Anna M. Barvir

Anna M. Barvir
Counsel for Plaintiff Ana Patricia
Fernandez

Dated: November 7, 2023

**LOGAN MATHEVOSIAN & HUR,
LLP**

s/ Amber A. Logan

Amber A. Logan
Counsel for Defendants County of
Los Angeles, John Roth, and Wyatt
Waldron

ATTESTATION OF E-FILED SIGNATURES

I, Anna M. Barvir, am the ECF User whose ID and password are being used to file this JOINT STIPULATION AND REQUEST TO AMEND THE SCHEDULING AND CASE MANAGEMENT ORDER RE JURY TRIAL (DKT. 64); [PROPOSED] ORDER. In compliance with Central District of California L.R. 5-4.3.4, I attest that all signatories are registered CM/ECF filers and have concurred in this filing.

Dated: November 7, 2023

s/ Anna M. Barvir

Anna M. Barvir

CERTIFICATE OF SERVICE
IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Case Name: *Fernandez, v. Los Angeles County, et al.*
Case No.: 2:20-cv-09876 DMG (PDx)

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

I am not a party to the above-entitled action. I have caused service of:

**JOINT STIPULATION AND REQUEST TO AMEND THE SCHEDULING AND
CASE MANAGEMENT ORDER RE JURY TRIAL (DKT. 64)**

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

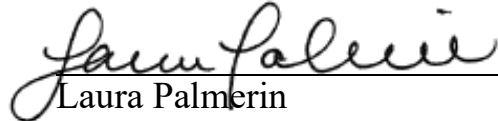
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Los Angeles, CA 90010

*Attorneys for Defendants Los Angeles County,
Wyatt Waldron, and John Roth*

I declare under penalty of perjury that the foregoing is true and correct.

Executed November 7, 2023.



Laura Palmerin